

# Sandy City Planning Commission

## Agenda

### February 7, 2013

Meeting procedures are found at the end of this agenda. In compliance with the Americans With Disabilities Act, reasonable accommodations for individuals with disabilities will be provided upon request. For assistance, or if you have any questions regarding the Planning Commission Agenda or any of the items, please call the Sandy City Planning Department at (801) 568-7256

4:00 p.m. **FIELD TRIP** (Bus departs from west steps of City Hall)  
 6:15 p.m. **REGULAR SESSION** (Multi-Purpose Room (Room 341, Third Level of City Hall))

**Welcome**  
**Pledge of Allegiance**  
**Introductions**

#### Code Amendment

- |         |    |  |         |                 |
|---------|----|--|---------|-----------------|
| 6:15 PM | 1. | Code Amendment - Truck Rental in the SD(Magna)(CC) Zoning District - Amend Title 15A, Chapter 19, Land Development Code, Revised Ordinances of Sandy City, 2008.                           | 5 min.  | CODE 1-13-2707  |
| 6:15 PM | 2. | Code Amendment – Burial of Power lines in Residential Projects – Amend Title 15A, Chapter 21, Subdivision Design Standards, Land Development Code, Revised Ordinances of Sandy City, 2008. | 5 min.  | CODE-1-13-2717  |
| 6:15 PM | 3. | Code Amendment – DIGS Document - Amend Title 15A, Land Development Code, Revised Ordinances of Sandy City, 2008.   | 20 min. | CODE-11-12-2652 |

#### Conditional Use Permit

- |         |    |  |        |               |
|---------|----|--|--------|---------------|
| 6:45 PM | 4. | The Tint Effect (Conditional Use in Zone District)<br>8714 S. 700 East <i>[Historic Sandy, Community #4]</i>           | 5 min. | CUP-1-13-2739 |
| 6:50 PM | 5. | Performance Import (Conditional Use in Zone District)<br>8415 S. 700 West #27 <i>[Northern Exposure, Community #1]</i> | 5 min. | CUP-1-13-2746 |

#### Site Plan Review

- |         |    |  |        |                |
|---------|----|--|--------|----------------|
| 6:55 PM | 6. | High Point Professional Plaza #2 (South Building)<br>7927 S. High Point Parkway <i>[High Point, Community #6]</i><br><i>(Tabled from January 17, 2013 Meeting)</i> | 5 min. | SPR-12-12-2692 |
| 7:00 PM | 7. | Real Salt Lake Stadium<br>2013 Parking and Access Management Plan – Annual Update<br>9256 South State Street <i>[Civic Center, Community #2]</i>                   | 5 min. | SPR#06-40      |
| 7:05 PM | 8. | Sudbury Shared Parking (revised approval)<br>111 W. 9000 South <i>[Civic Center, Community #2]</i>   | 5 min. | SPR#95-34      |

### Subdivision

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- |         |    |  |        |               |
|---------|----|--|--------|---------------|
| 7:10 PM | 9. | Sandy Villas Subdivision (TND Overlay)      R-1-8 Zone<br>Reconsideration of Conditions of Approval<br>8179 South 700 East <i>[High Point, Community #6]</i> | 5 min. | SUB-9-12-2527 |
|---------|----|--|--------|---------------|

### Signs

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- |     |  |        |
|-----|--|--------|
| 10. | Discussion regarding the pylon sign ordinance for the old Lowe's property<br>203 W. 9000 South <i>[Civic Center, Community #2]</i> | 5 min. |
|-----|--|--------|

### Administrative

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11. Minutes – January 17, 2013
12. Re-adoption of Planning Commission By-Laws
13. City Council and Board of Adjustment Reports
14. Planning Commission Follow-up List
15. Planning Commission Attendance List
16. Director's Report

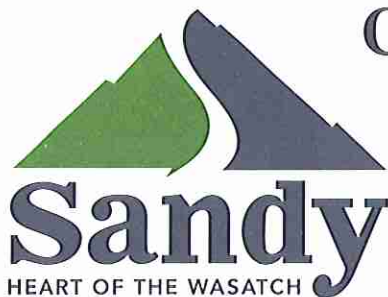
#### *Meeting Procedure*

1. Staff Presentation
2. Developer/Project Applicant presentation
3. Open Public Comment (if item has been noticed to the public)
4. Close Public Comment
5. Planning Commission Deliberation
6. Planning Commission Motion

*In order to be considerate of everyone attending the meeting and to more closely follow the published agenda times, public comments will be limited to **2 minutes per person per item**. A spokesperson who has been asked by a group to summarize their concerns will be allowed 5 minutes to speak. Comments which cannot be made within these time limits should be submitted in writing to the Community Development Department prior to noon the day before the scheduled meeting.*

*Planning Commission applications may be tabled if: 1) Additional information is needed in order to take action on the item; OR 2) The Planning Commission feels there are unresolved issues that may need further attention before the Commission is ready to make a motion. **No agenda item will begin after 11 pm** without a unanimous vote of the Commission. The Commission may carry over agenda items, scheduled late in the evening and not heard, to the next regular scheduled meeting.*





# Community Development Department **1**

Tom Dolan  
Mayor

Byron Jorgenson  
Chief Administrative Officer

Michael G. Coulam  
Director

## MEMORANDUM

January 29, 2013

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**To:** City Council  
via Planning Commission  
**From:** Community Development Department  
**Subject:** Code Amendment - Truck Rental in the SD(Magna)(CC) Zoning District, Amend Title 15A, Chapter 19, Special Development Districts, Land Development Code, Revised Ordinances of Sandy City, 2008.

CODE-1-13-2707

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*This Code Amendment was noticed in the paper 10 days prior to this Planning Commission meeting.*

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### BACKGROUND

Tasha Bolivar, representing Home Depot USA Inc., has filed a request to amend Title 15A, Chapter 19, Special Development Districts, Revised Ordinances of Sandy City, 2008. The purpose of the Code Amendment is to consider allowing a Truck and Trailer Rental Agency, as a conditional land use in the SD(Magna)(CC) Zoning District.

### PROPOSAL

The Home Depot, located at the Little Cottonwood Center, has contracted with Penske to operate a truck rental business on their site since last summer without getting appropriate approvals. The request is to amend this SD Zoning District to allow Truck Rental as an allowed use.

The Little Cottonwood Center is a mix of different retail and professional office uses within a planned commercial center. Bordering the Home Depot store in this center to the west is an R-1-8 Zoning District (beyond a 50' landscape buffer), to the east is Highland Drive with the Alta Canyon Recreation Center (in an Open Space Zone) across the street, and to south is vacant ground zoned SD(Magna)(PUD15) beyond a 30' landscape buffer.

Staff is recommending that this type of land use be considered as a conditional use, provided the use is an ancillary business to an existing primary business. If this Code Amendment is recommended by the Planning Commission and approved by the City Council, the applicant would then have to submit for a Conditional Use with the Planning Commission.

## **NEIGHBORHOOD MEETING**

Because this proposed Code Amendment is related to a specific area, versus City wide, we asked the applicant to contact the neighborhood coordinator. The Community Coordinator, Doug Darrington, sent staff an email indicating he did not feel this would have a negative impact on the neighborhood and decided this request did not warrant having a Community meeting.

## **ZONING HISTORY**

The SD(Magna) Special Development District was created in 1992. There are a number of different subdistricts within this SD Zone. The particular zone that would be affected by this Code Amendment would be SD(Magna)(CC) which is a Community Commercial subdistrict.

## **NON-CONFORMING USES**

This proposed Code Amendment will not create any new nonconforming uses.

## **LAND DEVELOPMENT CODE PURPOSE COMPLIANCE**

The Sandy City Land Development Code in §15A-01-03 lists the criteria explaining the intent and purpose of the Ordinance. The purpose is:

### **15A-01-03 Purpose**

This Code is adopted to implement Sandy City's General Plan and to promote: public health, safety, convenience, aesthetics, welfare; efficient use of land; sustainable land use and building practices; transportation options and accessibility; crime prevention; timely citizen involvement in land use decision making; and efficiency in development review and land use administration. Specifically, this Code is established to promote the following purposes:

#### **1. General**

- a. To facilitate the orderly growth and development of Sandy City.
- b. To facilitate adequate provision for transportation, water, sewage, schools, parks, and other public requirements.
- c. To stabilize property values.
- d. To enhance the economic well being of Sandy City and its inhabitants.

#### **2. Implementation of General Plan**

To coordinate and ensure the implementation of the City's General Plan through effective execution of development review requirements, adequate facility and services review and other goals, policies, or programs contained in the General Plan.

#### **3. Comprehensive, Consistent and Equitable Regulations**

To establish a system of fair, comprehensive, consistent and equitable regulations, standards and procedures for review and approval of all proposed land development within the City.

#### **4. Efficiently and Effectively Managed Procedures**

- a. To promote fair procedures that are efficient and effective in terms of time and expense.
- b. To be effective and responsive in terms of the allocation of authority and delegation of powers and duties among ministerial, appointed, and elected officials.
- c. To foster a positive customer service attitude and to respect the rights of all applicants and affected citizens.

The proposed Code Amendment will create consistency and equitable standards and procedures for



review and approval of all truck and trailer rental agencies within the SD(Magna)(CC) Zoning District.

### **GENERAL PLAN COMPLIANCE**

The Sandy City General Plan is a document consisting of an official collection of the guidelines established by the City Council as major policies concerning future development of land in the City. The Plan states the objectives in terms of goals, and policies to reach those goals, but does not specify the means of achieving them. The City's ordinances, capital budgets, construction, development approvals, and other actions are the tools used to achieve the policies.

One of the Commercial Zoning and Development goals of the General Plan is to "Provide adequate and accessible commercial service, to maximize the compatibility of commercial and residential uses, and to increase the employment opportunities within Sandy City" (Sandy City General Plan Commercial/Industrial Zoning and Development Goal 1.0 page 2-23).

One of the policies of this goal is to "Identify, describe, and encourage various levels of retail commercial activity into the most appropriate locations within Sandy City. In some cases, these designations would apply to existing commercial districts, in other instances new locations should be identified" (Policy 1.4, page 2-23).

Staff feels comfortable with the request because the proposed use should have very little impact, if any, on adjacent uses. Although there are existing residential homes to the west, there is 50' of landscaping as well as an 8 foot masonry wall. This type of land use should not create greater impacts than what may already occur with a Home Depot store.

### **OTHER**

Besides the purposes set out in the ordinances cited above, one of the stated purposes of the City's land use ordinances is to facilitate the orderly growth and development of Sandy City (Rev. Ord. of Sandy City 2008, Section 15A-01-03(A)(1)). Some of the general purposes of the City's Development Code are to implement Sandy City's General Plan, and to promote the following public policies: public health, safety, convenience, aesthetics, welfare; efficient use of land; sustainable land use and building practices; transportation options and accessibility; crime prevention; timely citizen involvement in land use decision making; and efficiency in development review and land use administration (R.O.S.C. Sec. 15A-01-03(A)).

### **STAFF RECOMMENDATION**

The Community Development Department requests that the Planning Commission forward a positive recommendation to the City Council to adopt the proposed ordinance amendment as shown in exhibit "A", attached, for the following reasons:

1. Compliance with the Purpose of the Land Development Code establishing fair, comprehensive, consistent and equitable regulations, standards and procedures for review and approval of all truck and trailer rental agencies within the SD(Magna)(CC) Zoning District.
2. Compliance with the Goals and Policies of the General Plan by identifying the most appropriate location for this type of commercial use based upon the compatibility with

permitted uses and characteristics of the surrounding area.

Planner:



Brian McCuiston  
Zoning Administrator

Reviewed by:



File Name: S:\USERS\PLN\STAFFRPT\2013\CODE-1-13-2707 Auto Rental in SD(Magna)\Staff report.wpd



## Exhibit "A"

### 15A-19-06A SD/CC - Planned Center/Community Commercial Sub-District

#### C. Uses Allowed.

1. **Permitted Uses.** A "Commercial Center, Community" is allowed as a Conditional Use. Upon issuance of a Conditional Use Permit and completion of site plan review, the following uses shall be allowed as Permitted Uses:

- a. Arcade\*
- b. Athletic, Tennis, or Health Club
- c. Automotive Self-Service Station\*
- d. Automotive Service Station\*
- e. Business or Financial Services
- f. Commercial Retail Sales and Services
- g. Commercial School
- h. Medical and Health Care Offices
- i. Public Service
- j. Recreation Center\*
- k. Recreation, Indoor
- l. Religious or Cultural Activity
- m. Restaurant
- n. Restaurant, Drive-in\*
- o. Theater, Concert Hall\*\*
- p. Alcoholic Beverage Class A\*
- q. Alcoholic Beverage Class B\*
- r. Alcoholic Beverage Class D

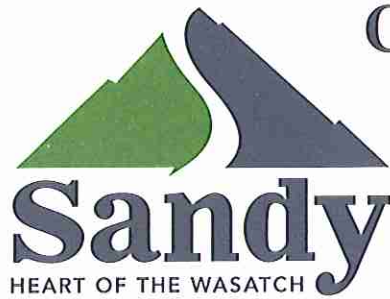
\* These uses require a conditional use permit if located within 250 feet of a residentially zoned district.

\*\* These uses are not permitted if located within 250 feet of a residentially zoned district.

2. **Conditional Uses.** The following uses may be allowed but shall require a separate Conditional Use Permit:

- a. Auto Repair Minor
- b. Commercial Parking Garage
- c. Industry, Light
- d. Motel/Hotel
- e. Park and Ride Facilities
- f. Public Schools
- g. Public Utility Station
- h. ~~Reserved~~ Truck and Trailer Rental Agency (only when operated as an ancillary use to a primary business.
- i. Alcoholic Beverage Class E
- j. Alcoholic Beverage Entertainment
- k. Alcoholic Beverage State Store

\*\* These uses are not permitted if located within 250 feet of a residentially zoned district.



# Community Development Department <sup>2</sup>

Tom Dolan  
Mayor

Byron Jorgenson  
Chief Administrative Officer

Michael G. Coulam  
Director

## MEMORANDUM

January 29, 2013

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**To:** City Council  
via Planning Commission  
**From:** Community Development Department  
**Subject:** Code Amendment - Burial of Power Lines, Amend Title 15A, Chapter 21,  
Subdivision Design Standards, Land Development Code, Revised Ordinances of  
Sandy City, 2008. CA-1-13-2717

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*This Code Amendment was noticed in the paper 10 days prior to this Planning Commission meeting.*

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### BACKGROUND

The Sandy City Community Development Department is requesting to amend Title 15A, Chapter 21, Subdivision Design Standards, Land Development Code, Revised Ordinances of Sandy City, 2008. The purpose of the Code Amendment is to require the City to review each new development to determine the requirements for burying power lines that more accurately reflect the impacts created by a development. The same language is already within the commercial development standards, however, this will now be placed within the residential standards as well. The proposed change has been attached as **Exhibit "A"**.

### PROPOSAL

It was recently brought to our attention that the residential development standards do not address burial of power lines when developing new projects, as we do in our commercial development standards. The Sandy City Community Development Department is proposing to modify Section 15A-21-19 of the Land Use Development Code, by adding subsection "E", in regards to how power lines are addressed during the development review process.

This language is more sensitive to, and appropriate for, smaller developments (small subdivisions, infill projects, TND, etc.) which do not create the need for road widening or burying power lines. However, the burying of power lines would still be required in those instances where such a need is created by the development. There has to be a "nexus" between the need and the requirement to bury the power lines and the proposed development.



The intent of this ordinance is to bury the power lines when a road is being widened and when all the poles along the frontage need to be moved.

### **ZONING HISTORY**

A Code Amendment in 2005 added this language to the commercial development standards, but the same language was not added to the residential development standards.

### **NON-CONFORMING USES**

This Code Amendment will not create any non-conforming uses.

### **LAND DEVELOPMENT CODE PURPOSE COMPLIANCE**

The Sandy City Land Development Code in §15A-01-03 lists the criteria explaining the intent and purpose of the Ordinance. The purpose is:

#### **15A-01-03 Purpose**

This Code is adopted to implement Sandy City's General Plan and to promote: public health, safety, convenience, aesthetics, welfare; efficient use of land; sustainable land use and building practices; transportation options and accessibility; crime prevention; timely citizen involvement in land use decision making; and efficiency in development review and land use administration. Specifically, this Code is established to promote the following purposes:

#### **1. General**

- a. To facilitate the orderly growth and development of Sandy City.
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- d. To enhance the economic well being of Sandy City and its inhabitants.

#### **2. Implementation of General Plan**

To coordinate and ensure the implementation of the City's General Plan through effective execution of development review requirements, adequate facility and services review and other goals, policies, or programs contained in the General Plan.

#### **3. Comprehensive, Consistent and Equitable Regulations**

To establish a system of fair, comprehensive, consistent and equitable regulations, standards and procedures for review and approval of all proposed land development within the City.

#### **4. Efficiently and Effectively Managed Procedures**

- a. To promote fair procedures that are efficient and effective in terms of time and expense.
- b. To be effective and responsive in terms of the allocation of authority and delegation of powers and duties among ministerial, appointed, and elected officials.
- c. To foster a positive customer service attitude and to respect the rights of all applicants and affected citizens.

The proposed Code Amendment will stabilize property values by establishing a system of fair, comprehensive, consistent and equitable regulations, and standards for all proposed land developments within the City.

## GENERAL PLAN COMPLIANCE

The Sandy City General Plan is a document consisting of an official collection of the guidelines established by the City Council as major policies concerning future development of land in the City. The Plan states the objectives in terms of goals, and policies to reach those goals, but does not specify the means of achieving them. The City's ordinances, capital budgets, construction, development approvals, and other actions are the tools used to achieve the policies.

The Sandy City General Plan encourages the burial of power lines in the City as noted in the Goals and Policies reference below:

Chapter II Goals and Policies, page 2-72

- b. Placement of Utility Lines - In balancing the goals and interests of the community, the City Council adopted the following as part of Ordinance #96-9
  - 1.1 Overhead power lines pose a health risk to the community, but the full scope of such risks cannot be accurately measured. Overhead lines also decrease the value of adjacent residential property and detract from community aesthetics. Such factors justify the imposition of a prudent avoidance standard.
  - 1.2 The desire of the public to participate in decisions regarding power line placement is supported by public policy. Further, the installation of overhead transmission lines, unannounced and without prior public review, violates the City's General Plan.
  - 1.3 Municipal government has the authority and has traditionally played a principal role as a forum for community dispute resolution, in regulating development, and in providing public safety services. Among all levels of government, municipalities have the authority and administrative structure best able to balance interests for specific sites and projects.
  - 1.4 New transmission lines are not necessary to serve Sandy City. Existing substations can be used or developed without the magnitude of adverse impacts imposed by new overhead transmission lines and without lowering service delivery or raising general power rates.
  - 1.5 Persons residing, traveling, or working in the community should be free from risks associated with overhead lines. Rather than imposing undue risks on the public, greater safety can be encouraged through making any costs of risk avoidance a charge against profits.
  - 1.6 The potential adverse effects of allowing new overhead transmission lines in Sandy is not in the best interests of the City; further, amendments are needed to the presently enacted Sandy City Development Code (containing the zoning regulations for the City) to better deal with the location and installation of transmission lines in order to provide for the health, safety, welfare, and



promote the prosperity, improve the good order, comfort, convenience, and aesthetics of the municipality and its present and future inhabitants and businesses, to protect the tax base, protect both urban and non-urban development, and protect property values. The City Council finds that amendments are particularly critical relating to transmission lines associated with the proposed Dimple Dell Substation.

#### **OTHER**

Besides the purposes set out in the ordinances cited above, one of the stated purposes of the City's land use ordinances is to facilitate the orderly growth and development of Sandy City (Rev. Ord. of Sandy City 2008, Section 15A-01-03(A)(1)). Some of the general purposes of the City's Development Code are to implement Sandy City's General Plan, and to promote the following public policies: public health, safety, convenience, aesthetics, welfare; efficient use of land; sustainable land use and building practices; transportation options and accessibility; crime prevention; timely citizen involvement in land use decision making; and efficiency in development review and land use administration (R.O.S.C. Sec. 15A-01-03(A)).

#### **STAFF RECOMMENDATION**

The Community Development Department requests that the Planning Commission forward a positive recommendation to the City Council to adopt the proposed ordinance amendment as shown in exhibit "A", attached, for the following reasons:

1. The proposed Code Amendment is consistent with the Goals and Policies of the Sandy City General Plan, with respect to the handling of public utilities.
2. The proposed code amendment provides for greater flexibility during the development review process in dealing with existing power lines.
3. The proposed Code Amendment re-enforces the City's intent and policy with respect to existing power lines and clarifies seemingly contradictory language in the code.

Planner:

Reviewed by:



Brian McCuiston  
Zoning Administrator

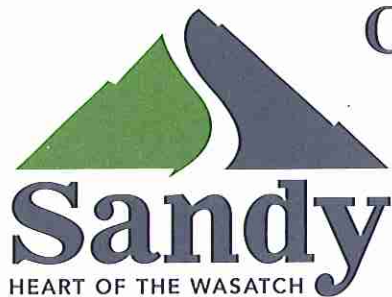
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## Exhibit "A"

### 15A-21-19 Public Utilities

- A. The developer shall be responsible for the installation of service lines prior to street paving.
- B. All utilities which will serve the parcel being subdivided shall be buried beneath the surface of the ground and shall be located within the easements provided for such use or within the streets at a location to be determined by the City.
- C. All utility structures shall be included as part of the construction drawings submitted with the final plat.
- D. There shall be no above ground utility structures placed in a street but may be placed out of the public right-of-way in the easement as approved by the Public Utilities Department and the Public Works Department.
- E. This section does not require removal of any existing electrical transmission facilities and electrical distribution lines nor does it restrict the repair, minor relocation, and maintenance of any such existing facilities, except that if any development requires a road widening to meet the impacts of that development and there are utility poles in the road to be widened, the developer, at his own expense, shall be responsible to remove those utility poles out of the public right-of-way and to underground all utility lines across the frontage of the development that may be associated with those utility pole(s).





# Community Development Department <sup>3</sup>

Tom Dolan  
Mayor

Byron Jorgenson  
Chief Administrative Officer

Michael G. Coulam  
Director

## MEMORANDUM

January 29, 2013

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**To:** City Council  
via Planning Commission  
**From:** Community Development Department  
**Subject:** Code Amendment - DIGS, Amend Title 15A, Land Development Code, Revised Ordinances of Sandy City, 2008. CA-11-12-2652

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*This Code Amendment was noticed in the paper 10 days prior to this Planning Commission meeting.*

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### BACKGROUND

The Sandy City Community Development Department is requesting to amend Title 15A, Land Development Code, Revised Ordinances of Sandy City, 2008. The purpose of the Code Amendment is to approve new development guidelines and standards that will help implement the recently approved Sandy City Civic Center Area 30 Year Development Plan. In particular, these guidelines and standards will be for the East and South Villages in the Civic Center Area.

### PROPOSAL

Sandy City has contracted with the IBI Group, a multi-disciplinary planning consulting firm, to prepare and present the Design Implementation Guidelines and Standards (DIS) document that will guide the development within our Civic Center area. Eventually, there will be a series of regulatory books that will ensure quality development in this area. DIGS is just one of those regulatory books. Other books include standards on items such as open space, signage, sustainability, long term parking, master building specifications, and transportation.

DIGS is an example of a form based code. A form based code is one way of regulating development to achieve a specific urban form. This type of code creates a predictable outcome by controlling the physical form of buildings with a lesser focus on land uses. This document addresses the relationship between building facades and the public realm, the form and mass of buildings in relation to one another, and the scale and type of streets and blocks.

As you will see in this document, the regulations and standards are presented in both diagrams and words which designate the appropriate form and scale of development. Staff is proposing to

adopt DIGS as Chapter 39 of the Sandy City Land Use Development Code.

### **ZONING HISTORY**

Sandy City has gone through an extensive review and approval process for the recently adopted Sandy City Civic Center Area 30 Year Development Plan. Included within this plan are two specific areas that could be developed using the proposed regulations. The first area is identified as East Village which includes area around the UTA TRAX station down to State Street, and from Sego Lily Drive to 10200 South. The second area is South Village which includes property around City Hall to the South Town Mall and from I-15 to State Street.

Once this document is approved it will provide regulations for all new developments within these two areas that are submitted.

### **NON-CONFORMING USES**

This Code Amendment will not create any new non-conforming uses.

### **LAND DEVELOPMENT CODE PURPOSE COMPLIANCE**

The Sandy City Land Development Code in §15A-01-03 lists the criteria explaining the intent and purpose of the Ordinance. The purpose is:

#### **15A-01-03 Purpose**

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- a. To promote fair procedures that are efficient and effective in terms of time and expense.
- b. To be effective and responsive in terms of the allocation of authority and delegation of powers and duties among ministerial, appointed, and elected officials.
- c. To foster a positive customer service attitude and to respect the rights of all applicants and affected citizens.



The proposed Code Amendment will stabilize property values by establishing a system of fair, comprehensive, consistent and equitable regulations, and standards for all proposed land developments within the Civic Center area of Sandy City.

#### **GENERAL PLAN COMPLIANCE**

Sandy City recently amended the General Plan and adopted the Sandy City Civic Center Area 30 Year Development Plan. This plan provided the overall vision for the development plan for the Civic Center area of the City. The design standards and guidelines that are specific to the area will be implemented by the DIGS document.


#### **OTHER**

Besides the purposes set out in the ordinances cited above, one of the stated purposes of the City's land use ordinances is to facilitate the orderly growth and development of Sandy City (Rev. Ord. of Sandy City 2008, Section 15A-01-03(A)(1)). Some of the general purposes of the City's Development Code are to implement Sandy City's General Plan, and to promote the following public policies: public health, safety, convenience, aesthetics, welfare; efficient use of land; sustainable land use and building practices; transportation options and accessibility; crime prevention; timely citizen involvement in land use decision making; and efficiency in development review and land use administration (R.O.S.C. Sec. 15A-01-03(A)).

#### **STAFF RECOMMENDATION**

The Community Development Department requests that the Planning Commission discuss this document and take public comment regarding the proposed regulations. Staff will bring this back to the Planning Commission in the near future for a formal recommendation to the City Council.

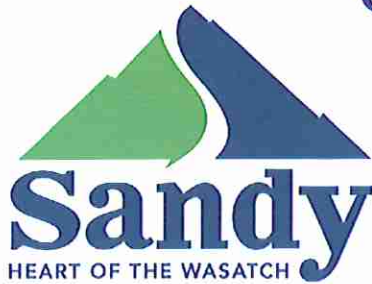
Planner:

  
Brian McCuiston  
Zoning Administrator

Reviewed by:



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# Community Development Department **4**

Tom Dolan  
Mayor

Byron Jorgenson  
Chief Administrative Officer

Michael G. Coulam  
Director

## MEMORANDUM

January 31, 2013

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**To:** Planning Commission  
**From:** Community Development Department  
**Subject:** The Tint Effect (Conditional Use in Zone District) CUP-1-13-2739  
8714 S. 700 East [Historic Sandy, Community #4] Zone: BC

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**NOTICE:** *This item has been noticed to property owners within 300 feet of the proposed use.*

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### **BACKGROUND**

Jeremy Patience, on behalf of The Tint Effect, is requesting a Conditional Use Permit to operate an auto window tinting business within an existing building at the above-listed address. The business will occupy the entire building and will have an indoor installation bay, storage areas, office space and a customer waiting area. Hours of operation are proposed to be from Monday through Saturday 9 AM to 6 PM. The applicant anticipates an average of 3-5 cars per day based on the single installation bay.

### **ANALYSIS**

Sandy City staff has determined that this use as described should be considered to be "Minor Automotive Service and Repair," which is a Conditional Use in the BC Zone District according to Section 15A-08-02(B) of the Sandy City Land Development Code.

This use should fit well within the existing shopping center. A bicycle shop previously occupied the space, and as a retail store, would have required more parking spaces. The proposed use should generate very little demand for parking, as customer cars would generally be inside the building while window tinting is installed.

The applicant states that the process for installing window tinting included using only soapy water and the application of steam for removal. No hazardous chemicals should be stored on site.

### **NOTICES**

Community Coordinator Peggy Bird did not feel that a community meeting would be necessary for a commercial use in this established shopping center.

### **STAFF CONCERNS**

Staff feels comfortable with the proposed use with the caveat that at no time will cars be allowed to be worked on outside the building – no tinting installation or removal is permitted in the parking lot. The



parking area shall be used for parking of customer and employee vehicles only.

**Compliance with Section 15A-33-04(A) Conditional Use Permit**

Staff response in *italics*.

A. **Conditions.** In order to achieve compliance with the standards set forth herein, the City may impose conditions which address:

1. Size, configuration and location of the site and the proposed site plan layout;  
*No change.*
2. Proposed site ingress and egress to existing and proposed roads and streets;  
*The existing traffic pattern is functional and there should be no change.*
3. The adequacy, provision, relocation or protection of public facilities and amenities, including roads and streets, culinary water, secondary water, sanitary sewer, storm drainage, public safety and fire protections, and other utilities;  
*All existing public facilities will be adequate.*
4. Design, location and amount of off-street parking, loading areas and solid waste disposal and collection areas;  
*Existing parking area is sufficient for the proposed use and the access to the installation bay should be kept clear to allow for movement of customer vehicles without excessive rearranging of cars.*
5. Site circulation patterns for vehicular, pedestrian and other traffic;  
*See Number 2 above.*
6. Mass, size, number, location, design, exterior features, materials, and colors of buildings, structures and other facilities;  
*No change*
7. The location and design of all site features, including proposed signage, lighting, and refuse collection;  
*Existing site features are compatible with existing neighboring properties.*
8. The provision of useable open space, public features, and recreational amenities;  
*Not applicable.*
9. Fencing, screening and landscape treatments and other features designed to increase the attractiveness and safety of the site and protect adjoining property owners from noise, visual and other impacts;  
*No change.*
10. Measures directed at minimizing or eliminating possible nuisance factors including, but not limited to noise, vibrations, smoke, dust, dirt, debris, plant materials, odors, gases, noxious matter, heat, glare, electromagnetic disturbances, and radiation;  
*Very little noise or other nuisances should be generated by this business. If any noise is to be generated in the installation bay (including, but not limited to music or other loud noise), the bay door should be kept shut.*
11. Measures designed to protect the natural features of the site, including wetlands and drainage ways, ground water protection, soils, wildlife and plant life;  
*No change.*
12. The regulation of operating hours for activities affecting normal schedules and functions;  
*Proposed business hours are 9 AM to 6 PM. No adverse effects are expected.*

13. Identifying a time for regular review and monitoring, as determined necessary, to ensure the use continues to operate in compliance with all conditions and requirements of approval;  
*To be reviewed upon legitimate complaint.*
14. Measures to ensure compliance with all conditions and requirements of approval including but not limited to bonds, letters of credit, improvement agreements, agreements to conditions, road maintenance funds, restrictive covenants;  
*None required.*
15. Such other conditions determined reasonable and necessary by the City to allow the operation of the proposed conditional use, at the proposed location in compliance with the requirements of this Code.

### **RECOMMENDATION**

Staff recommends that the Planning Commission **approve** a Conditional Use Permit for Jeremy Patience on behalf of The Tint Effect, to operate a automotive window tinting business from the above-listed address based on the following findings and subject to the following conditions.

### **Findings:**

1. Staff anticipates minimal impacts associated with this business. A previous retail business was located in the space and staff is unaware of any problems with the operation of the business or lack of parking available.
2. Customer vehicles will be located inside the installation bay for most of the time a customer is on the property, further reducing parking congestion. The applicant anticipates 3-5 customers per day and even with expansion, there should be plenty of room for parking for the proposed business and existing businesses on site.
3. The proposed business will not generate any noxious chemicals, odors or other nuisances.

### **Conditions:**

1. That the proposed business comply with all **State and City Business license regulations, as well as Building & Safety, Zoning, and Fire & Life Codes** applicable to this type of use before business commences.
2. That any signs for this business must **comply with the Sandy City Sign Ordinance**
3. That any tinting removal or installation take place inside the installation bay only. No work is to be performed in the parking lot.
4. If any noise is generated in the installation bay (including, but not limited to music or tools), that the bay door be closed.
5. That this Conditional Use Permit be **reviewed upon legitimate complaint.**

Planner:



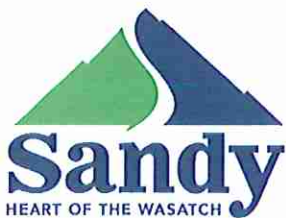
Ray Lindenburg, AICP  
Senior Planner

Reviewed by:



File Name: S:\USERS\PLN\STAFFRPT\2013\CUP-1-13-2739\_TINT-EFFECT\STAFF REPORT.DOC





## CUP-1-13-2739 :: The Tint Effect 8714 S. 700 E.



PRODUCED BY  
THE COMMUNITY DEVELOPMENT DEPARTMENT  
RAY LINDENBURG, PLANNER



The Tint Effect  
8714 South 700 East  
Sandy, Utah 84070

ATTN: Sandy City Community Development

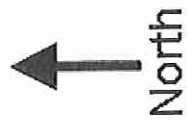
Re: Proposed Conditional Use for The Tint Effect

The Tint Effect will be using the commercial building located at 8714 South 700 East for the installation and removal of automobile window film. Window film installation is a very simple process that simply involves attaching a very thin piece of tinted plastic film to a car window using only a water + soap mix to adhere it to the window. Removal of the tint is done by using steam cleaner to heat up the tint so it can be peeled off.

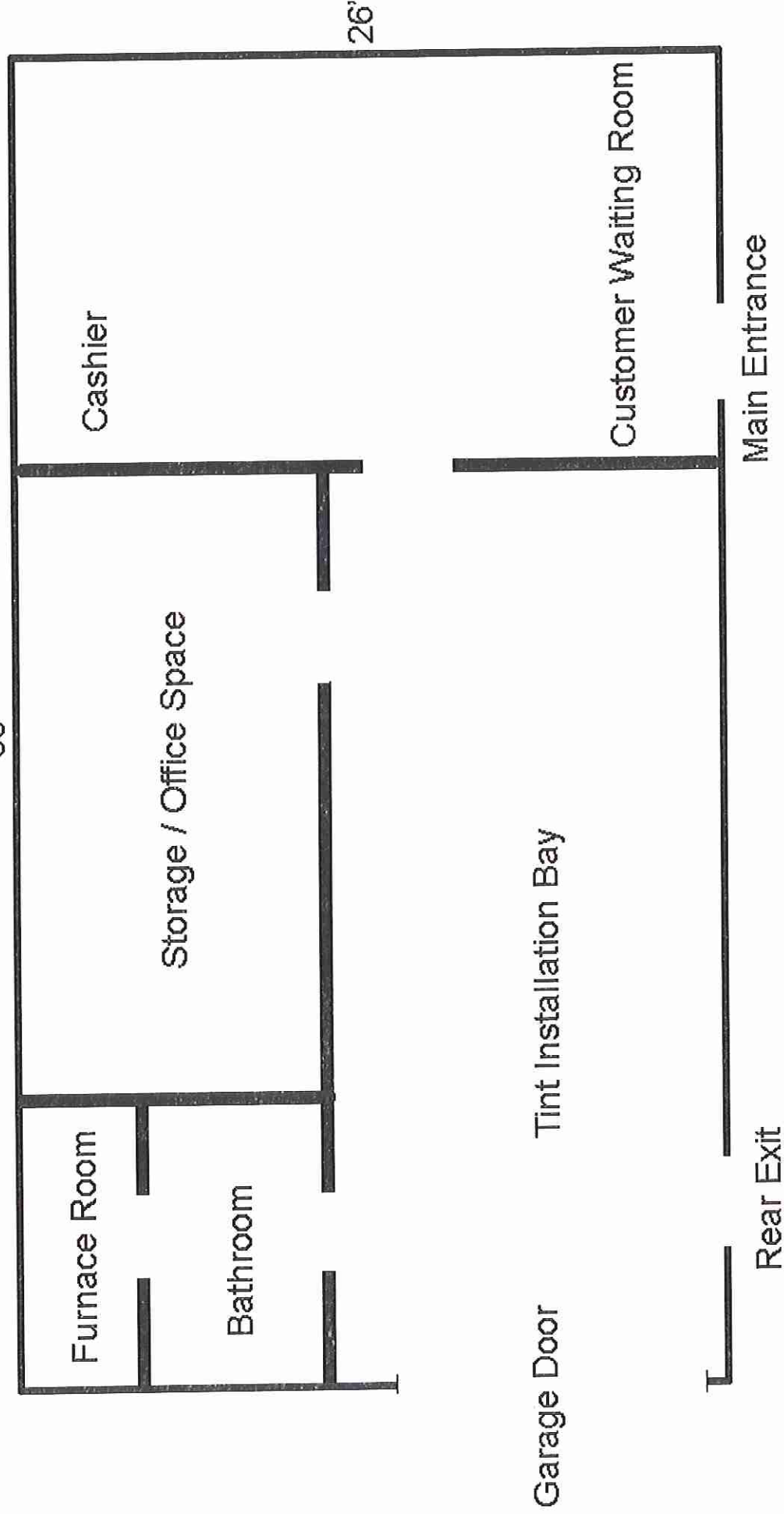
Traffic impact will be minimal. We will be using only one bay for installing or removing window film. Our maximum car capacity would be 3-5 cars per day. Our business hours will be from 9:00AM-6:00 PM Monday-Saturday.

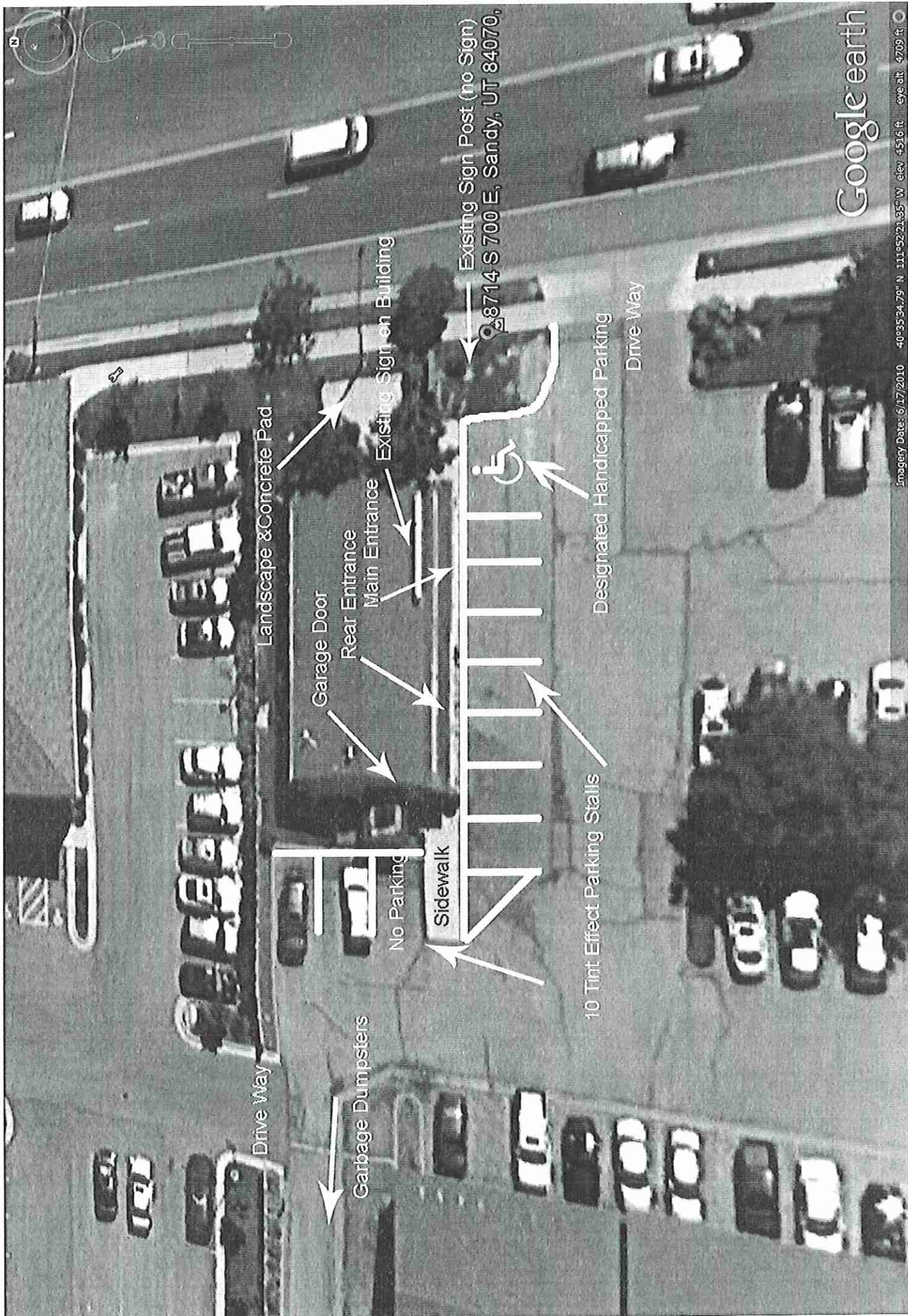


The Tint Effect  
8714 South 700 East  
Sandy, Utah 84070



55'





Google earth

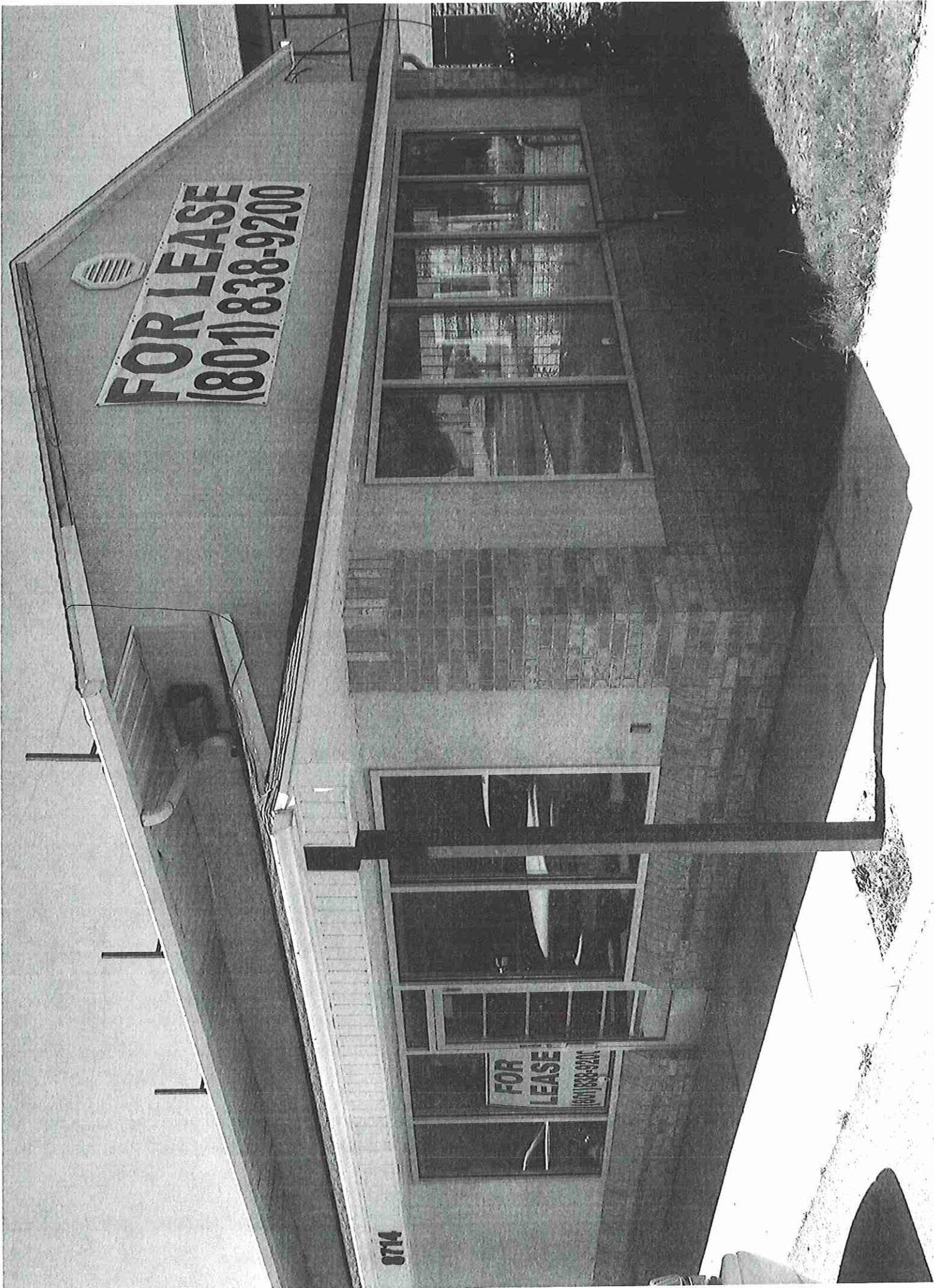
Imagery Date: 6/17/2010 40°35'34.79" N 111°52'21.35" W elev 4516 ft eyes alt 4709 ft



**FOR LEASE**  
**(801) 838-9200**

**8714**

**FOR LEASE**  
**(801) 838-9200**







8714 S 700 E, Sandy, UT 84070, USA

Google earth

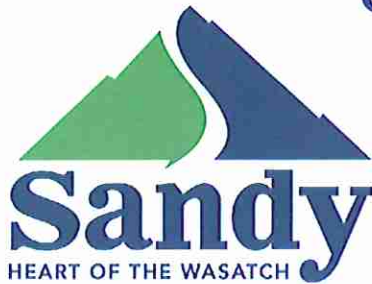
Google earth

feet  
km

3000  
1







# Community Development Department <sup>5</sup>

Tom Dolan  
Mayor

Byron Jorgenson  
Chief Administrative Officer

Michael G. Coulam  
Director

## MEMORANDUM

January 31, 2013

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**To:** Planning Commission  
**From:** Community Development Department  
**Subject:** Performance Imports (Conditional Use in Zone District) CUP-1-13-2746  
8415 S. 700 West #27 [Northern Exposure, Community #1] Zone: CR-PUD

---

**NOTICE:** *This item has been noticed to property owners within 300 feet of the proposed use.*

---

Paul Harman, owner of Performance Imports, is requesting a Conditional Use Permit to operate an auto sales business located at 8415 South 700 West. The proposed business is located in Unit #27 within an existing warehouse building in the **CR-PUD Zone**. This particular use in the CR-PUD Zone requires a Conditional Use Permit.

### ANALYSIS

The Sandy City Development Code Section 15A-08-02(B) states that "*Auto, Light Truck, RV Dealerships (Used) - Sales and Service Agencies*" are a **Conditional Use in the CR-PUD Zone District**.

Mr. Harman is requesting approval to operate an auto sales business in an existing warehouse building. All automobile storage will occur inside the building. An office located in the space is proposed to be used for the business, and all operation of the business will take place within the warehouse space.

#### Access and Circulation

Access to the property is provided from one entrance off Sandy Parkway at the north side of the parcel and another access point off of 700 West. Interior access through the property is provided by a private driveway to Unit #27. The unit itself has one roll up door for warehouse access and a standard door accessing the office space.

#### Parking

Three parking spaces are provided at the front of the unit. These spaces should be used temporarily by the applicant and potential customers and should not be used for the storage of vehicles for sale. No overnight parking is allowed by the property owner in these spaces.

#### Signage

A sign identifying the business may be placed on the office door as practiced throughout the complex. As

such, the sign will be no larger than 3' by 7' and for practical purposes will be much smaller than that measurement. Additional signage may be placed upon the window glass (i.e.: vinyl lettering, applied graphics) as per Section 15A-26-08 of the Land Development Code, which restricts window signage to no more than 25% of the surface of the window.

### **General**

Business hours are limited by the Land Development Code to times between 6 AM and 10 PM. Variable hours between those times are acceptable.

### **Neighborhood Input**

Several of these businesses have applied for and received Conditional Use Permits in the past several years. The Community Coordinator position is currently vacant, but the previous Coordinator felt that due to the lack of residential properties and the nature of the complex, a meeting would not be necessary for these types of uses.

### **Staff Concerns**

Staff is concerned that over time, some auto sales uses have a tendency to increase the number of vehicles stored on the property. Conditions of approval address this concern by specifically prohibiting the storage of vehicles in the designated outdoor parking spaces immediately in front of the unit and by further disallowing the parking of for-sale vehicles on the public right-of-way. Additionally, according to the Sign Ordinance, no signs shall be allowed to be placed at any other location other than the front door and/or window of Unit #27.

### **Compliance with Section 15A-33-04 Conditional Use Permit**

Staff response in *italics*.

- D. Conditions.** In order to achieve compliance with the standards set forth herein, the City may impose conditions which address:
1. Size, configuration and location of the site and the proposed site plan layout;  
*Site plan will not change.*
  2. Proposed site ingress and egress to existing and proposed roads and streets;  
*No change.*
  3. The adequacy, provision, relocation or protection of public facilities and amenities, including roads and streets, culinary water, secondary water, sanitary sewer, storm drainage, public safety and fire protections, and other utilities;  
*All existing public facilities will be adequate. No new construction proposed.*
  4. Design, location and amount of off-street parking, loading areas and solid waste disposal and collection areas;  
*No change. Off Street parking will be available in existing parking lot.*
  5. Site circulation patterns for vehicular, pedestrian and other traffic;  
*No change.*
  6. Mass, size, number, location, design, exterior features, materials, and colors of buildings, structures and other facilities;  
*The existing commercial structure will not be changed on the exterior.*
  7. The location and design of all site features, including proposed signage, lighting, and refuse collection;



- Existing site features are compatible with existing neighboring properties.*
8. The provision of useable open space, public features, and recreational amenities;  
*Not applicable.*
  9. Fencing, screening and landscape treatments and other features designed to increase the attractiveness and safety of the site and protect adjoining property owners from noise, visual and other impacts;  
*No change.*
  10. Measures directed at minimizing or eliminating possible nuisance factors including, but not limited to noise, vibrations, smoke, dust, dirt, debris, plant materials, odors, gases, noxious matter, heat, glare, electromagnetic disturbances, and radiation;  
*Not applicable. There will be no repairs or service done on site.*
  11. Measures designed to protect the natural features of the site, including wetlands and drainage ways, ground water protection, soils, wildlife and plant life;  
*No negative impacts anticipated.*
  12. The regulation of operating hours for activities affecting normal schedules and functions;  
*The applicant has requested hours between 9 AM and 5 PM.*
  13. Identifying a time for regular review and monitoring, as determined necessary, to ensure the use continues to operate in compliance with all conditions and requirements of approval;  
*To be reviewed upon legitimate complaint.*
  14. Measures to ensure compliance with all conditions and requirements of approval including but not limited to bonds, letters of credit, improvement agreements, agreements to conditions, road maintenance funds, restrictive covenants;  
*None required.*
  15. Such other conditions determined reasonable and necessary by the City to allow the operation of the proposed conditional use, at the proposed location in compliance with the requirements of this Code.

## RECOMMENDATION

Staff recommends that the Planning Commission grant Conditional Use Approval to Performance Imports to be located at 8415 S. 700 West #27, for the purposes of auto sales, subject to the following findings and conditions:

### Findings:

1. All for-sale vehicles shall be stored in the enclosed warehouse which minimizes potential impacts of parked cars in the area.
2. Several other similar businesses have operated in the same complex with no problems or complaints.

### Conditions:

1. That the proposed business comply with all Building & Safety, Fire & Life Codes applicable.
2. That there be no major automotive repair done on this site and there be no hazardous materials stored or used in this shop (including, but not limited to oil, antifreeze, and fuel).
3. That the parking spaces immediately adjacent to the unit be reserved for customers and employees. That there be no for-sale vehicles parked in these spaces other than for loading/unloading, inspection or test drives. No for-sale automobiles are to be left outside the warehouse overnight.
4. There will be no mechanically disabled, broken down or un-driveable automobiles on the

property at any time.

5. That any and all signs be in compliance with Sandy City Sign Ordinance and permits be issued for their installation.
6. That the business be open between the hours of 6 AM and 10 PM only.
7. That the use be reviewed upon legitimate complaint.

Planner:



Ray Lindenburg, AICP  
Senior Planner

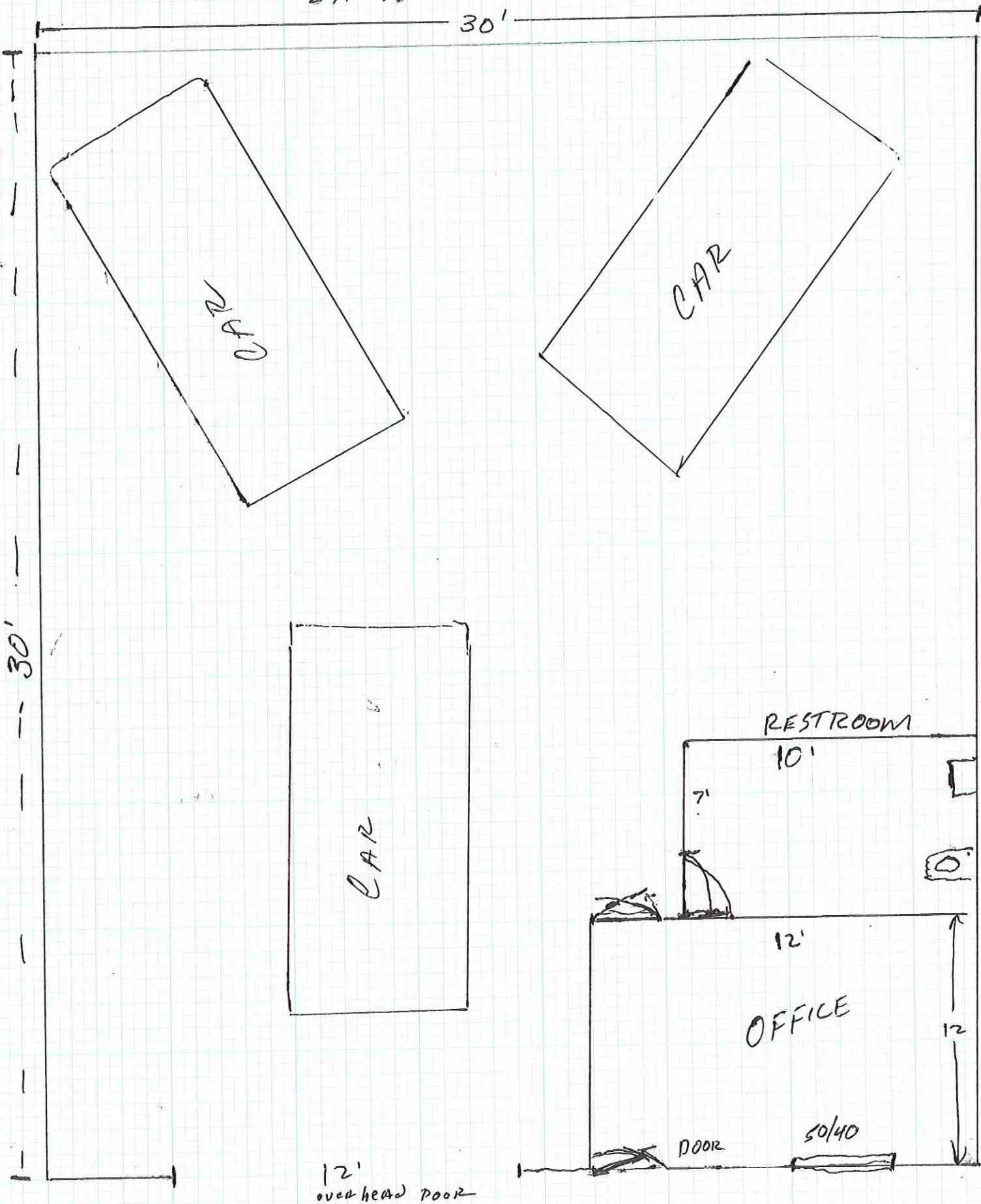
Reviewed by:



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PERFORMANCE IMPORTS  
84155 700 W #22



TO WHOM IT MAY CONCERN:

PERFORMANCE IMPORTS IS

A USED CAR INTERNET SALES

COMPANY. ALL CARS WILL BE

STORED INSIDE THE SHOWROOM

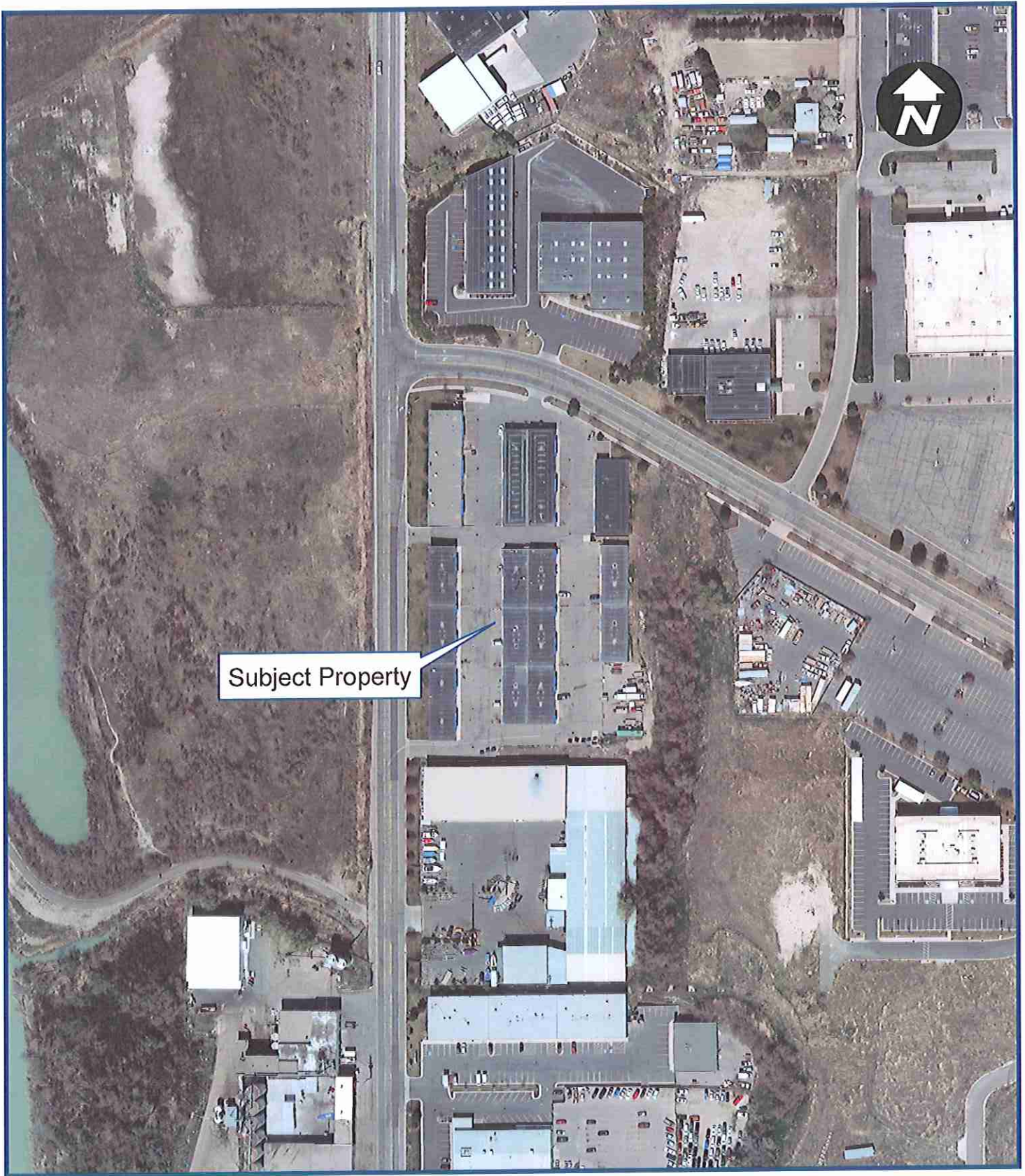
WITH A MAX OF THREE

CARS AT A TIME.

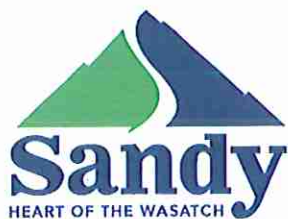
THANK YOU

PAUL HERMAN  
OWNER





Subject Property

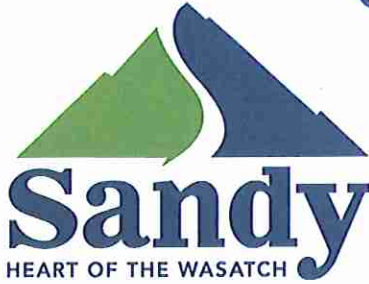


**CUP-1-13-2746 :: Performance Imports**  
**8415 S. 700 W. #27**

0 50 100 200 300 400 500 Feet

PRODUCED BY  
THE COMMUNITY DEVELOPMENT DEPARTMENT  
RAY LINDENBURG, PLANNER





Tom Dolan  
Mayor

Byron Jorgenson  
Chief Administrative Officer

Michael G. Coulam  
Director

## MEMORANDUM

REVISED February 1, 2013

<b>To:</b>	Planning Commission		
<b>From:</b>	Community Development Department		
<b>Subject:</b>	High Point Professional Plaza, #2 (South Building and Parking Structure. (Site Plan Review) 7927 S. High Point Parkway	SPR#12-12-2692 Zone SD(Smart)(CN) SD(Smart)(CC) 2.10 + 0.59 Acres	
	[High Point, Community #6]		

**HEARING NOTICE:** *This item has been noticed to property owners within 300 feet of the development.*

### BACKGROUND

Mr. Brandon Schofield, representing CDR Development, is requesting site plan review by the Planning Commission, to construct a third office building as part of the High Point Professional Plaza project and to construct a two level parking structure, located at 7927 S. High Point Parkway. The 2.10 acre property is located within the SD (Smart)(CN) Zoning District. The project has now been expanded with the addition of the purchase of 0.59 acres of land from the abutting property owner Woodbury Corporation to the south, for the expansion of the proposed two level parking structure. Existing zoning to the north, east and south of the property is Commercial and to the west is Residential R-1-7, across High Point Parkway. This proposal is consistent with the overall project approval given for the three building development in 2006, except that the third building is now proposed to be pivoted slightly to the south and a new two level parking structure is being proposed, which was not a part of the prior approval. Additionally, at the request of the Planning Commission, a parking management plan document has also been provided to address both temporary (during the pending new construction) and long term leased offsite parking to augment the on-site parking.

### ANALYSIS



**Description of Request.** The Planning Commission is the approval body for all development in the SD (Smart)(CN) and (CC) Zoning Districts through the preliminary site plan review process.

**Access.** Vehicle access to the overall project exists from both 7800 South Street and High Point Parkway on the north and west sides of the project. On-site circulation is existing and is consistent with the prior overall project approval. Additionally, access to the second level of the proposed parking structure will be granted by the abutting property owner (The Woodbury Corporation), as was done for the other existing parking structure which was built as part of the office building #3.

**Parking.** At the public hearing held on January 17, 2013, there was considerable discussion with the Planning Commission and the applicants concerning over crowded parking at the existing 2 building site, as presented by comments expressed at the public hearing. The original three building project was approved in 2006 using only surface parking. After the owner leased the first building, it was apparent to him that the tenants attracted to this location were employee intensive and so his actual parking need was greater than the minimum parking requirements of the City and the prior approval. He then obtained approval to convert a portion of the surface parking for building #3 to a two level parking structure, which was recently completed. Similarly, he is proposing the conversion of the previously approved surface parking, located at the south end of the property, to be converted to a two level parking structure, and expanding the project site by 0.59 acres to allow additional structured and surface parking.

There exists much confusion on the part of all parties as to the difference in "City required parking numbers" and the number of parking stalls being provided by the development. Attached is a table which was prepared by planning staff which attempts to illustrate the various numbers of both required and provided parking stalls over time. Both the numbers of "city required stalls" and the numbers provided have changed over time. In summary, in 2006 when the overall three building project was preliminarily approved by the City, there were three equal sized buildings with three office use floors each for a total of 9 finished floors requiring 309 total parking stalls on-site. Thus the often quoted "City required stalls per building at 103 stalls" being used as the basis for comparison to the number of stalls actually being built with each phase.

Phases 1 and 3 were given final approval in 2006 and 2007 and the "required parking was calculated for three floors in building #1 and for four floors of office in building #3. Additionally, the basement of building #1 was finished for a combination of office and storage use, which was approved by the Community Development staff, because there had been "excess parking built" with building #3 with the addition of the 2 level parking structure. However, no formal change to the parking requirements calculation was made at that time. Staff has now received a floor plan drawing (included in this staff report) which illustrates the areas of the basement of building #1 which are currently being used for storage and for office or office related uses. Staff has calculated the number of "City required parking stalls that should have been formally assessed (at the pre 2008 ordinance rate) at the time that the basement was finished, which would be 22 additional stalls (103 plus 22 totaling 125 stalls, based upon net lease-able square footage ). Building #3 was



approved in 2007 for four full floors of office use at the pre-2008 ordinance rate totaling 132 stalls.

Phase 2, (the current proposed building) is being assessed for parking under the post-2008 ordinance rate for four full floors of office, requiring 188 stalls, based upon gross square footage. With the addition of the 0.59 acres of property being purchased from the abutting Woodbury property and expanding the proposed new parking structure and picking up an additional 14 surface parking stalls, the current phase will provide 192 new parking stalls, permanently tied to this project. This represents approximately 119.5 percent of the requirement for this phase under the post 2008 parking requirements. Staff is of the opinion that doing this realistically maximizes the potential for permanently adding parking stalls to the overall project.

Therefore, with the expanded site plan, the proposed and existing parking stalls for the project will total 482 on-site parking stalls being located on surface parking lots and within two parking structures. This would meet the city requirements for 100 percent of the parking for buildings #1 and #3 at the pre-2008 parking standards and 119.5 percent of the post 2008 parking requirements for the proposed building #2.

Additionally, to address the issue of short and long term off-site parking, the applicant has proposed a "Parking Management Plan" which is also attached to this staff report. This "Plan" summarizes the current negotiations by the applicant with other existing parking lot owners in the areas, to leases on a short term basis, unused or shared parking, to help alleviate the existing and anticipated during construction impacts to the project. Approximately 200 leased parking stalls seem to be in the mix to augment the project until completion of all of the site and building work, anticipated to be within one year. At that time, staff could assess the parking demand and recommend continuation of some of the off-site leased parking or shared parking, for as long as the problems seem to exist. (See staff recommended conditions of approval.)

The provided and proposed parking will now exceed the minimum requirements of the zoning ordinance, but more closely meet the market needs as generated by his tenants.

**Architectural Design & Materials.** The proposed building elevation drawings, materials description and colors for the proposed third building and the parking structure will exactly match the prior approvals. Staff supports the proposed design, materials selection and proposed color scheme for this project, including the parking structure.

**Landscaping:** Landscaping will be required to meet the requirements of the development code, and will be consistent with the prior development, including new street trees along High Point Parkway.

**Signs:** Signage is not a part of this consideration. Signs for this project will be review by staff under a separate application, and must follow all provisions of the Sandy City Sign Ordinance and the prior project approvals.



**Staff Concerns:** Staff has also identified some additional issues with the proposed development. First, there is currently a subdivision issue with the total property, in that the site consists of three property parcels and a fourth parcel is being created from the Woodbury property to add to the site. This subdivision issue will need to be rectified by a future subdivision or lot line adjustment action prior to issuance of a building permit for a parking structure associated with building #2. The second issue is concerning the relocation of the storm water detention pond currently on the Woodbury property, which detains water from the Woodbury development to the east. The engineering for this re-construction and special approval from the City Public Utilities Department will be required to address issues relative to city requirements, prior to issuance of the building permit for building #2..

### **STAFF RECOMMENDATION**

Staff recommends that the Planning Commission find that the building # 2 on-site plan review is complete, and that the project requires a total of 482 permanent parking stalls overall, based upon the following Findings and Conditions:

#### **Findings:**

- A. That the site plan has been reviewed by the various City Departments, and recommended for approval, subject to conditions and requirements.
- B. That the proposed building #2 site plan is generally consistent with the prior overall site plan approval, and that adding limited parking structures to the surface parking will help eliminate potential off-site parking issues from impacting the neighborhood.
- C. That the applicant has provided plans for a realistic maximization of the site in terms of on-site parking stalls that can be provided to support the previously approved three building project.

#### **Conditions:**

- 1. That prior to final approval of the proposed parking structure, **the applicant must resolve all issues relative to coordination with the abutting property owners to the east of the site concerning changes to the vehicle access to allow access to the upper level** and purchase of the property to add to this site.
- 2. That some future subdivision action occur to address the multiple parcel ownership and property acquisition issues identified by staff prior to the issuance of the building certificate of occupancy.
- 3. That the City Public Utilities Department must be satisfied as to the engineering design and the special approval required to have the Woodbury property's storm water retained on the applicants property, prior to the approval of the final site plan.
- 4. That before construction of building #2 begins, the applicant will receive City approval by the Community Development Director and the City Engineer of the "Parking Management Plan" which will provide approximately 200 leased or shared

off-site parking stalls through the completion of construction. The City may determine that additional off-site parking may be required after completion of Phase #2 construction, depending upon the tenant employee densities existing at that time. The "Parking Management Plan" may be brought back to the Planning Commission for review and revision at any time, at the determination of a problem by the Community Development Director.

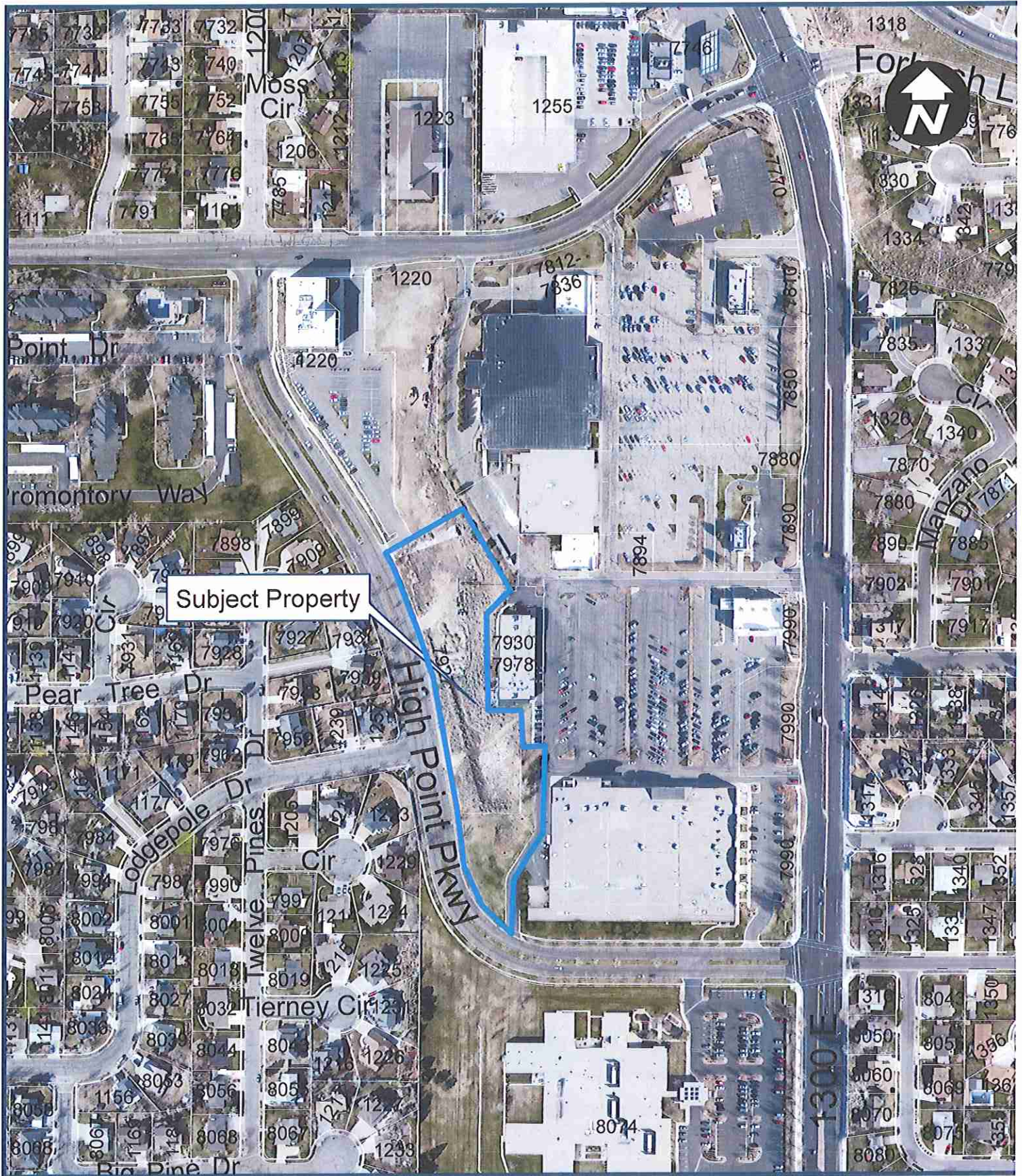
5. That prior to final approval, **the Fire Marshall must approve the overall site fire lane and fire apparatus maneuvering requirements** and fire hydrant locations and numbers, etc.
6. That **all above ground level utility service boxes, transformers, and meter boxes are to be screened from view to the maximum extent possible**, and painted the appropriate color to match the building background at the utility installation location.
7. That the developer **proceed through the final site plan review process with staff prior to the start of any construction** (including payment of development fees and posting of an appropriate bond to guarantee completion of all required improvements on and off the site), according to the Site Plan Review Procedures Handout. The Final Site Plan shall be in compliance with all Development Code requirements and requirements of the Planning Commission review.
8. That the development complies with all **Building & Safety, Fire and Life Safety Codes** applicable to this type of use.
9. That the developer be responsible to **meet all provisions of the SD (Smart)(CN) and (CC) Zoning Districts, the Sandy City Development Code and all conditions of approval imposed by the Planning Commission** regarding this project prior to issuance of a building permit including but not limited to: compliance with the **Sandy City Water Policy**, trash enclosures, compliance with the Sign Ordinance and obtaining sign permits for all signs proposed, **required landscaping**, screening of all **roof mounted mechanical equipment and vents**, installation of all required public improvements, provide staff with a **specific water efficient landscape and irrigation plan** prior to final approval of the site plan.
10. That the **applicant complies with the Sandy City Noise Ordinance** during site construction activities.
11. That **the applicant complies with all department requirements as noted in all Preliminary Review letters** prior to submittal for final site plan review.
12. That **the applicant is encouraged to consider offering their employees incentives for the use of carpooling, ride sharing, bus and light rail passes, van service to the Light Rail Station and Bus Transfer Station as well as any other alternative modes of transportation** that may be available in order to decrease the need for parking and reduce vehicle trips that congest local roads and add to air pollution.



Planner:  
  
Douglas L. Wheelwright  
Development Services Manager

Reviewed by:  



**SPR-12-12-2692 :: High Point Professional Plaza  
7927 S. High Point Pkwy**

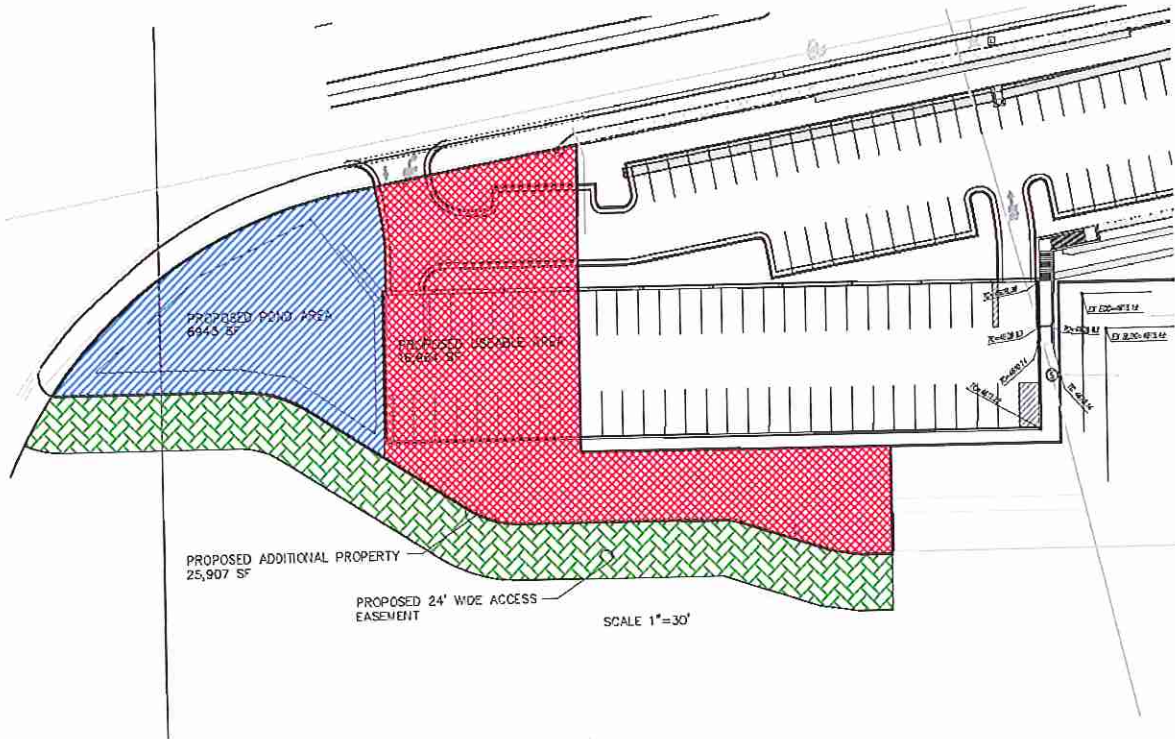


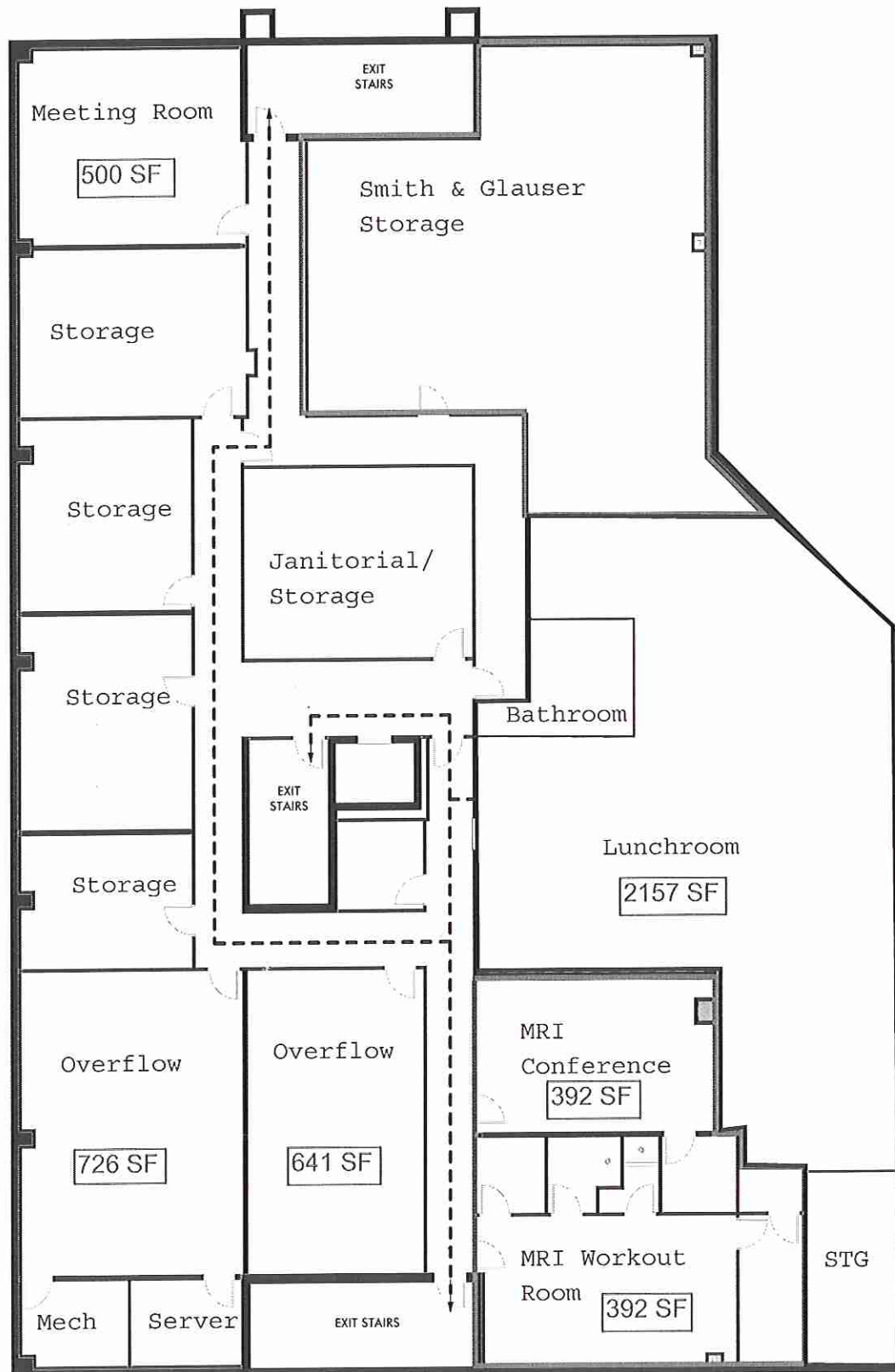
PRODUCED BY  
THE COMMUNITY DEVELOPMENT DEPARTMENT  
JARED GERBER, LONG RANGE PLANNING MANAGER



## EXHIBIT "C"

### GRAPHIC DESCRIPTION OF REAL PROPERTY (showing real property including parking areas and retention pond, and easement)







## High Point Professional Plaza Parking Analysis

	Required Stalls	Provided Stalls	Stalls + or - Per Phase	Stalls + or - Overall
<b><u>Phase 1</u></b>				
(1st Building constructed)				
2006 - 3 floors	103	114	+ 11	
2013 - Add Basement	+22			
	(125)			
<b><u>Phase 3</u></b>				
(2nd Building constructed)				
2006 - 3 floors	103	176	+ 73	
2007 - 4 floors	(132)	176	+ 44	
<b><u>Phase 2</u></b>				
(3rd Building constructed)				
2006 - 3 floors	103			
2013 - 4 floors	(188)	192	+ 4	
2013 - 4 floors @ 119.5%	225	192	- 33	
2013 - 4 floors @ 125%	235	192	- 43	
<b><u>Totals all Phases</u></b>				
2006	309			
2013	(445)	482		+ 37
2013 @ 119.5%	482	482		

## Highpoint Parking Management Plan

### Parking plan for the immediate construction of the Phase II building:

1. Academy Mortgage has made a verbal agreement with NAI, who manages the parking garage at the Union Park Theatres, to rent the top level for parking. The top level has approximately 150 stalls.
  - a) The final details of the agreement are being determined and will be completed before the planning commission meets on Feb 7<sup>th</sup>.
  - b) Academy will assign employees that are most capable and willing to park farther away from the building.
2. Academy has also contacted the LDS church directly across the street to use the parking during construction. They had an agreement in place with them while constructing the last building.
  - a) Academy has met with the 3 Bishops and they have agreed to allow Academy to use their parking lot.
  - b) Final approval is with the Stake President, a meeting is being scheduled with him by the Bishops. They know that time is of the essence. All efforts will be taken to get a written agreement in place before the February 7<sup>th</sup> planning commission meeting.
3. No construction workers are allowed to park in the parking lot. Any violations will have the person's car towed at their expense.
4. If in the unlikely event that parking is still an issue parking stalls will be assigned to each tenant pursuant to the CC&R's.
  - a) The amount of parking stalls assigned is based on the percentage of ownership.

### Long-term parking plan after the building is constructed:

1. Academy Mortgage has a signed purchase agreement with Woodbury to acquire the ground south of Phase II. (see attached purchase contract)
  - a) By purchasing this ground they are able to increase the parking from 137 stalls to 200 stalls for the Phase II building.
  - b) The sales transaction will take place once the project is approved by Sandy City.
2. Highpoint Owners have agreed to amend the CC&R's to have a provision included in it that states: If there are meetings or events of more than 30 people by any of the tenants, offsite parking will need to be provided.
  - a) This will be done immediately
  - b) This is to remedy the problem created by one of the tenants that regularly has meetings with more than 30 people.
3. Highpoint Owners have agreed to investigate the possibility of building an extension on the existing parking structure.
  - a) This extension would be for the parking of the Phase I building that has the least amount of parking stalls currently provided on the site.
  - b) This extension would provide approximately 40-42 stalls.



January 29, 2013

- c) This extension is subject to:
  - 1. The relocation of a high pressure gas main owned by Questar Gas
  - 2. The approval to the extension by Sandy City
  - 3. Approval to build garage over an existing sewer main by Cottonwood Improvement District
  - 4. Approval of the total cost by all owners
- d) The cost to construct the extension will be paid by each owner proportionally calculated by the percentage of ownership in the Phase I building.
- 4. Academy Mortgage has assured us that their intentions are to occupy the Phase II and III buildings. (see attached letter from Academy Mortgage)
  - a) As soon as the Phase II building is completed the density currently in Phase III building will go down dramatically, the current density is not conducive to their business and they need to lower it. That is why there is a need to build this building.
  - b) If they get to their max projections they are prepared to remove the tenants occupying their space in Phase I giving them access to nearly 25,000 square feet of office space.
  - c) If they outgrow that space they are prepared to find offsite building space for some of their departments or completely move the company to a new site.
- 5. If in the unlikely event that parking is still an issue parking stalls will be assigned to each tenant pursuant to the CC&R's.
  - a) The amount of parking stalls assigned is based on the percentage of ownership.



Sandy City,

We as a tenant, not an owner, at High Point have been asked to write a letter to your City regarding the current parking issues and potential future parking issues that exist and may exist in the future at the buildings where we lease space. We lease and occupy space in the first building and currently lease all of the space in the second building. Our Company, fortunately, has experienced unprecedented growth during the past three years in an industry that generally has been severely shrinking. We would like to believe that it will continue and that we are "geniuses" but we are not foolish enough to expect unprecedented growth to continue indefinitely. We are currently either the 12<sup>th</sup> largest lender in the United States or the 40<sup>th</sup>, depending on whether you count refinance loans or not. When we leased the second building here at High Point we would have never anticipated that we would grow to the point that we needed more space. We have looked at multiple potential solutions to our need for more space. The one that we prefer is to lease the new building planned to be built and keep our "Corporate" employees in the same general vicinity. If the third building is not built in a timely manner we will be forced to consider "plan two" which is to lease space in Draper at a site we have identified and split our Corporate office.

Currently we employ approximately 240 people here in the two buildings. I cannot anticipate our employee needs in the future but when the new building is completed we would be adding enough space for an additional 200 employees in that building. We will be moving from building two to the new building around 75 employees that currently work with us. If in our wildest dreams we need more space than is available in the two buildings we would obviously remedy our need for space by one or more of the following:

1. Terminating leases in building one with other companies and occupying their space.
2. Leasing space elsewhere in the valley and moving divisions of our company to a different location.
3. Moving parts of our "Corporate" functions as a company to other locations in the country. Most likely Denver where we have a small Corporate presence.

We recognize that there is a shortage of parking at High Point as it is currently being used especially in the winter when we lose a number of parking spaces due to snow. We are certain that the new building will resolve most if not all of the parking issues that currently exist here at High Point. We want to resolve the parking issues that exist primarily in the first building and to a lesser degree in the second building. All of the "owners" over park in the parking lot relative to their allotted spaces. This is not just a function of one owner or one tenant. We would love to resolve this parking issue and are willing to consider all available resolutions to do so.

The HOA of High Point had a meeting last week to identify and pursue potential solutions to the parking problem. The HOA has identified several solutions that all were in agreement on. They are identified below:

1. Add on to our current second level parking structure adding an additional 42 spaces. All of the owners are in agreement with this and assuming that Sandy City will approve an expansion of the parking terrace we will do this.





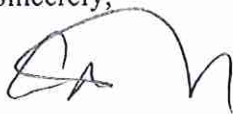
2. Find an offsite parking space for an additional 50 cars. We have identified three options where we can lease or negotiate to use parking. We have a verbal agreement with NAI on the third level of their parking structure directly across the street. There are over 100 parking stalls there. We have a verbal agreement with two of the three bishops to use/lease the parking at the Church directly across the street. We think there are over 100 parking stalls there. We have offered to sponsor their "Scout Troops" and to maintain the parking by having it plowed for snow along with our lot. We have a verbal agreement with Woodbury Corp on leasing parking spaces from them in the large shopping mall directly East of us. This is the least convenient space and is currently on hold. We have agreed to enter into one of the three mentioned options as a resolution for our parking needs.
3. We also feel it would be prudent and profitable to assign parking spaces in our parking lot so that none of the owners/tenants over park their allotment but it does not appear that the owners were in favor of this solution.

We are comfortable and have no issues with the above resolutions to resolve the parking problem here. We are excited with the prospects of remaining in Sandy City with our Corporate Offices but if Sandy City does not want a third building on the site we will have no choice but to seek space elsewhere. We would hope and anticipate that Sandy City will authorize the construction of the third building and the parking terrace planned there to accommodate over 200 cars. The real parking problem is not the new building to be built or even the second building which added 60 parking spaces with the parking terrace. It is the first building that has a shortage of parking spaces.

We have committed to the HOA that we will move ahead with all of the solutions presented as quickly as possible..... based on the approval and availability of the third building as soon as possible. If the third building is not approved and construction started as soon as possible we will have no choice but to move part of our Corporate Office elsewhere.

Hopefully you who work at Sandy City will recognize and understand that building the third building is part of the solution and not part of the problem.

Sincerely,

A handwritten signature in black ink, appearing to read 'Adam Kessler', with a stylized flourish at the end.

Adam Kessler  
President



January 25, 2013

Mr. Duane Shaw  
[Duane.shaw@academymortgage.com](mailto:Duane.shaw@academymortgage.com)

Mr. Adam Kesler  
[Adam.kesler@academymortgage.com](mailto:Adam.kesler@academymortgage.com)

Mr. Matt Alder  
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Mr. Rick Glauser  
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Mr. Brandon Schofield  
[BrandonVcdrdevelopment.com](mailto:BrandonVcdrdevelopment.com)

Mr. Michael Schofield  
[Michael@cdrdevelopment.com](mailto:Michael@cdrdevelopment.com)

Re: High Point Owners Association;  
Parking Issues

Gentlemen:

This is a brief recap of some of the items discussed yesterday during our meeting. Because of the urgency related to the parking issues, for now I will focus just on the parking situation and the remedies that were brought up. I feel that it was a very productive meeting and that everyone seems to want to find long-term solutions to address the parking issues.

At the conclusion of the meeting, after discussing the issues and possible the solutions that were mentioned, everyone indicated they could be supportive of them if they can be put in place, and in turn also be supportive of the new building on the south. It was agreed that:



1. We need to amend the CC&R's to provide that, if there are meetings or events of more than 20-30 people by any of the tenants or owners, offsite parking will need to be provided.
2. The three owners will build, if possible, an extension onto the existing parking garage. This addition will add roughly 42 stalls. Also, with this addition garage access gates will be installed to help control the parking. Each owner will receive some parking beneath and some on top of the garage.
3. An agreement needs to be in place to provide offsite parking during the construction period at a minimum, and long-term, if possible. The sites that have been targeted are the LDS Church across 7800 S., the parking garage to the north formally owned by Raddon Brothers, and the parking lot located to the east owned by Woodbury.

It seemed to me at this meeting that if these three things can be put in place that all the owners (MRI), (Smith & Glauser), and (Academy Mortgage) would be supportive of the new proposed Highpoint Office Building to be constructed.

Kindly let me know if you concur in this understanding, or if there is something else that needs to be added.

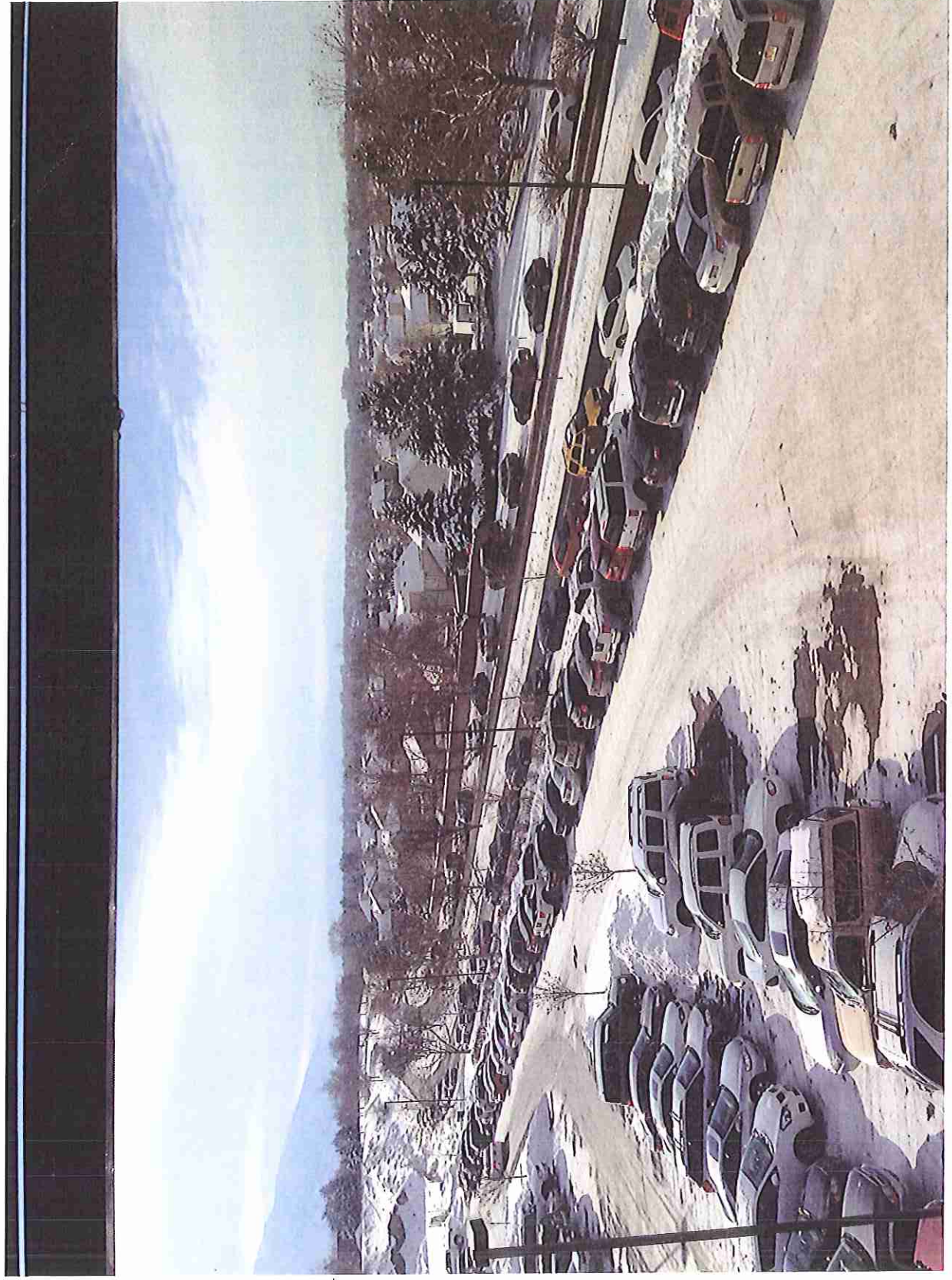
Very truly yours,



Lee Peterson, CPM

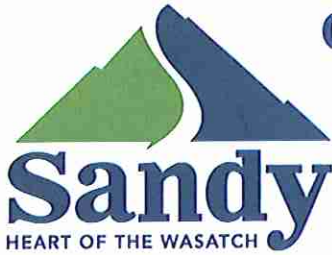
President

Association Manager









# Community Development Department

## MEMORANDUM

TOM DOLAN  
Mayor

BYRON JORGENSEN  
Chief Administrative Officer

MICHAEL G. COULAM  
Department Director

January 30, 2013

**To:** Planning Commission  
**From:** Community Development Department  
**Subject:** Real Salt Lake Soccer Stadium (Rio Tinto Stadium)  
(2013 Parking & Access Management Plan - Annual Update)  
9256 S. State Street [Civic Center, Community # 2]

SPR# 06-40  
RC Zone

**NOTICE:** *This item has been noticed to property owners in the general vicinity of the proposed development.*

### BACKGROUND

On June 19, 2008, the Planning Commission reviewed and approved the Final Parking and Access Management Plan for the Real Salt Lake Soccer Stadium. One of the conditions of approval required that Real return to the Planning Commission at the beginning of each year to review and update the plan. Real Soccer and their Transportation Engineer, Ryan Hales, have updated their plan for the 2013 season as shown in the attached document. A synopsis of the 2013 plan changes are included in the 2 page document that is attached to the Parking and Access Management Plan.

### ANALYSIS

The applicant's Transportation Engineer, Ryan Hales has prepared revisions to the approved Parking and Access Management Plan for the Real Soccer Stadium and will present those revisions to the Planning Commission for review and approval (see attached updated Parking and Access Management Plan Quick Facts). A hard copy of the updated plan has been provided to each Planning Commission member in the Planning Commission packet.

### RECOMMENDATION

Staff recommends that the Planning Commission review and approve the updated 2013 season Parking and Access Management Plan for the Real Soccer Stadium located at 9256 S. State Street.

Planner:

Gil Avellar, AICP  
Planning Director

Reviewed by:

File Name: S:\USERS\PLN\STAFFRPT\2006\SPR-06-40\_Real\_Soccer\_Stadium\SPR 06-40\_Real Parking Plan 2013 report update.wpd



## MEMORANDUM

Date: January 24, 2013  
To: Sandy City  
From: Ryan Hales, PE, PTOE, AICP  
Subject: **Rio Tinto Stadium Quick Facts / PMP Changes**

UT12-414

This memorandum is intended to provide some quick facts about the parking in, and around the Rio Tinto Stadium and to identify the PMP changes made following the first full year in the new stadium.

### Rio Tinto Stadium Quick Facts

#### Stadium Capacity

Concert = 25,000 spectators, **5,625** stalls needed  
(Max event 24,000 spectators)

Soccer = 20,000 spectators  
(Max event "regular season" – 20,762 spectators, **4,672** stalls needed)

#### Parking stall inventory – January 2013

**6,033** stalls secured  
5,077 stalls un-secured pay lots  
315+ on-street parking stalls not considered  
Total stalls = **11,425** parking stalls

### Parking Management Plan Changes

**5b.** Spaces required on-site: showing 656 stalls to reflect physical on-site stalls.  
Actual Count = **706** stalls

**5c.** Stalls within 5-min. walk = **1,408** stalls

**5d.** Stalls within 15-min. walk = **3,342** stalls

**5e.** Stalls beyond 15-min walk time = **577** stalls

**Note:** Total stalls **6,033**. Needed = **5,625**

The following excerpts have been taken from the Rio Tinto Stadium – Temporary Off-site Event Parking memorandum submitted to Sandy City.

*5h. Identify pedestrian exit times and volumes to on-site and off-site parking areas. Identify methods that the applicant will implement to manage the projected volume expeditiously and safely, e.g. wider sidewalks, temporary or permanent traffic control methods, etc. and provide a timeline for the implementation of the identified methods.*

It is our understanding that an open dialogue between Sandy City and UDOT has occurred with regard to the future traffic signal that will be placed at the 9200 South / State Street intersection. It has been discussed since the early planning stages of the stadium. UDOT has maintained their position that they will not allow the future traffic signal to be constructed until Sandy City realigns 9270 South to create a new four leg intersection with the stadium ring road.

However, UDOT has installed a pedestrian signal at the stadium road with State Street (9200 South) to aid in the safe crossing of Rio Tinto Stadium patrons, which provides additional pedestrian opportunities on both the east and west side of State Street and facilitates better and separate flow to the TRAX station. In addition, the Stadium has provided easements on the west side of State Street for the placement of the signal poles and related equipment. Rio Tinto Stadium signed over the easements necessary for UDOT to construct this pedestrian signal. Appendix C shows picture of the completed fence adjacent to State Street along the Rio Tinto Stadium frontage.

It is our understanding that the pedestrian signal has made a very positive impact on the foot traffic before and after events held at Rio Tinto stadium. Pedestrians are now confined to a designated area for crossing State Street, which can be completed more efficiently with the signal and with less oversight from the officers.

Anticipated 2013 ReAL Soccer Games include:

- 20 home games
- 20 away games
- US Open Cup
- International Matches
- 2013 CONCACAF Gold Cup
- MLS Playoffs

A schedule of the Rio Tinto Stadium events for 2013 will be submitted to Sandy City when it is finalized.



## MEMORANDUM

Date: February 7, 2013  
To: Sandy City  
From: Ryan Hales, PE, PTOE, AICP  
Subject: Rio Tinto Stadium – Temporary Off-Site Event Parking

---

This memorandum addresses the Rio Tinto Stadium – Temporary Off-Site Event Parking and correlates to the proposed Sandy City Land Development Code, Off-Street Parking Standards ordinance amendments (Code #15-06-05, Section B - General Provisions, proposed item 5 with subsections a) through n).

5. ***Temporary Off-Site Event Parking.*** *Temporary off-site parking for events may be allowed after review and approval of a parking and access management plan by the Planning Commission at a public meeting. Temporary parking is parking established for a fixed period of time with the intent to discontinue such parking upon the expiration of the time period. An occasional event with an expected attendance of less than five hundred (500) persons or if the event does not occur more than once a year shall not be subject to the requirements of this Section.*

*The applicant will be responsible to make provisions for on- and off-site parking, safe pedestrian routes to and from the off-site parking, transportation to and from off-site locations beyond a 5,000 foot (approximately 15-minutes) walking route, entry and exiting methods, temporary or permanent traffic control methods, and restricting parking in identified areas.*

*The parking and access management plan must be approved prior to the issuance of a temporary use permit, business license, or certificate of occupancy required for the event, project, or use. Upon approval, the parking and access management plan shall be available for public inspection. All approved updates of a parking and access management plan shall be available for public inspection.*

*The applicant may be responsible to post a guarantee for improvements and implementation of various components of the parking and access management plan.*

**Rio Tinto Stadium Parking Management Plan**

- a. *Determine the total number of parking spaces required based upon the land use category less any anticipated mass transit projection, which may be limited to 15% of the total number of required parking spaces unless greater mass transit use is demonstrated.*

**Total Concert Required Parking: 5,625 total parking spaces.**

Concert <sup>1</sup> :	25,000
(-) Mass Transit riders:	<u>2,500</u> (10% of attendees) <sup>3</sup>
	22,500 attendees will drive to stadium

A concert event is most similar to theater or concert hall which requires a parking ratio of 1 space per 4 seats, as required in the Sandy City Code. *The largest concert event at Rio Tinto Stadium was July 13, 2010, Paul McCartney, and had 24,000 attendees.*

22,500 attendees / 4 seats per vehicle = 5,625 spaces

**Total Soccer Match Required Parking: 4,672 total parking spaces.**

Soccer Match <sup>2</sup> :	20,762 attendees
(-) Mass Transit riders:	<u>2,076 attendees</u> (10% of attendees) <sup>3</sup>
	18,686 attendees will drive to stadium

18,686 attendees / 4 seats per vehicle = 4,672 spaces

- b. *Establish the minimum number of on-site spaces that are required. Specify the number of those on-site spaces that will be reserved for or utilized by employees, VIP's, buses, media, etc.*

**656 spaces required on-site** (minimum), see attached Site Plan / On Site parking – Figure 1.

West Stadium Lot = 414 stalls  
South Stadium Lot = 217 stalls  
Stadium Loading Docks = 75 stalls for players / coaches, plus visiting team bus  
**Total = 706 stalls** (see Figure 1)

Employees and staff personnel will be encouraged to ride mass transit or to use the shuttle route provided by Rio Tinto Stadium. Shuttle routes will begin operation two hours before game time and continue until two hours after the event is over for employees.



- c. *Establish the minimum number of off-site spaces, if any, that are required within a 1,650 foot<sup>4</sup> (approximately 5-minutes) walking route of the site.*

**1,408 additional spaces acquired** (minimum) within a 5-minute walking route to the site.

Ardell Brown Lot north of stadium = 300 stalls  
Canyon Transportation = 179 stalls  
Thatcher Property = 400 stalls  
DCH Property = 529 stalls  
**Total = 1,408 stalls** (see Figure 2)

- d. *Establish the minimum number of off-site parking spaces, if any, that are required within a 5,000 foot<sup>5</sup> (approximately 15-minutes) walking route of the site.*

**3,342 additional spaces acquired / available** within a 15-minute walking route to the concourse area.

Canyon School District Office =	302 stalls
Sandy City business Park =	300 stalls
Sandy City Hall =	416 stalls
U of U Building =	148 stalls
UTA Sandy Civic Center TRAX station =	1,185 stalls
UTA Historic Sandy TRAX station =	316 stalls
Jordan High School =	250 stalls
UDOT Park and Ride Lot (90 <sup>th</sup> South) =	75 stalls
Workers Comp.=	150 stalls
Sizzler =	200 stalls

**Total = 3,342 stalls** (see Figure 3)

- e. *Establish the minimum number of off-site parking spaces, if any that are required beyond the 5,000-foot (approximately 15-minutes) walking route of the site.*

UTA FrontRunner South Jordan =	577 stalls
<b>Total = 577 stalls</b> (see Figure 4)	

- f. *Identify all off-site parking sites potentially available to be used for c, d and e above. Identify methods that the applicant will provide for safe pedestrian routes to and from the parking sites satisfying criteria c and d, above, e.g. wider sidewalks, trails, bridges, permanent or temporary traffic control devices, individuals directing traffic, etc. and methods to provide transportation to and from those sites satisfying criterion e, above, e.g. TRAX, UTA buses, shuttle buses, etc. and provide a timeline for the implementation of the identified*

*methods. Each potential off-site parking location shall conform to the parking area development and maintenance requirements in this Section.*

Figure 2 shows the off-site parking supply within a 5-minute walk route of the stadium. Figure 3 identifies the off-site parking within a 15-minute walk route, and parking areas beyond the 15-minute walk routes where shuttles will be used.

The following methods have been implemented:

1. UDOT with their State Street road widening paved the park strip area between 9000 South and Town Ridge Parkway on the west side of the road, which provides an effective walking sidewalk width of 8-feet
  2. Master plan sidewalk widening projects
  3. Sandy City is working with the canal companies to extend a trail along the eastern most canal for pedestrian use
  4. A pedestrian bridge has been constructed on the northeast corner of the stadium
  5. Temporary traffic control devices
    - a. Pedestrian Scramble Phases at the 9400 South / State Street intersection – used during the game out-loading
    - b. Barriers used to control pedestrians for in-load and out-load of the stadium
  6. Crowd control officers – Officers were used at the 9400 South / State Street traffic signal, 9400 South / Stadium Road, 9400 South / Monroe Street, 9200 South (stadium road) / State Street intersections and along State Street east of the stadium.
  7. Several parking lots close to the stadium sell parking spaces to the public during stadium events. These locations are not under contract, but have consistently provided parking for events. These locations are shown in Figure 5, and had an estimated 5,077 parking stalls, with 2,406 parked vehicles for the Paul McCartney concert on July 13<sup>th</sup>, 2010, 2,356 parked vehicles for a ReAL soccer game on Aug. 18<sup>th</sup>, 2010. In addition, we have not counted any on-street parking stalls within our calculations.
  8. UDOT installed a pedestrian signal at 9200 South (stadium road) / State Street to allow pedestrians to cross safely. This pedestrian signal is a temporary measure until a permanent traffic signal can be installed following the realignment of 9270 South.
- g. Identify neighborhoods and other areas that will specifically not be allowed to be part of the calculation of available parking spaces or will be subject to parking restrictions during the event. Identify measures that the applicant will implement to prevent parking within restricted areas, e.g. signage, security personnel, proposed new parking regulations, etc. and provide a timeline for the implementation of the identified methods.*



As previously identified, the neighborhoods in the vicinity of the stadium have been excluded from the parking calculations.

For events at the stadium during 2011, traffic signs reading, "No Event Parking," were effectively used to limit parking in several areas along with several temporary traffic barriers that were placed across the inbound traffic lanes at several locations to prevent parking infiltration into local neighborhoods, see pictures in Appendix A.

Implementation of these measures was sufficient for the 2011 events at Rio Tinto Stadium when it was implemented.

In addition, Rio Tinto stadium will remind their patrons that parking in the adjacent neighborhoods is not appropriate or acceptable.

Sandy City has implemented a residential parking permit program that allows each residence two street parking permits to be used during Rio Tinto stadium events, in four specifically designated residential areas surrounding the stadium. All other vehicles on the streets of these areas will be cited by Sandy City Police Department during event times. Appendix B contains a map showing the areas for the parking permit program and the text for Article 24: Permit Parking Areas.

- h. Identify pedestrian exit times and volumes to on-site and off-site parking areas. Identify methods that the applicant will implement to manage the projected volume expeditiously and safely, e.g. wider sidewalks, temporary or permanent traffic control methods, etc. and provide a timeline for the implementation of the identified methods.*

Refer to item (f) for pedestrian management strategies.

It is our understanding that an open dialogue between Sandy City and UDOT has occurred with regard to the future traffic signal that will be placed at the 9200 South / State Street intersection. It has been discussed since the early planning stages of the stadium. UDOT has maintained their position that they will not allow the future traffic signal to be constructed until Sandy City realigns 9270 South to create a new four leg intersection with the stadium ring road.

However, UDOT has installed a pedestrian signal at the stadium road with State Street (9200 South) to aid in the safe crossing of Rio Tinto Stadium patrons, which provides additional pedestrian opportunities on both the east and west side of State Street and facilitates better and separate flow to the TRAX station. In addition, the Stadium has provided easements on the west side of State Street for the placement of the signal poles and related equipment. Rio Tinto Stadium signed over the easements necessary for UDOT to construct this pedestrian

signal. Appendix C shows picture of the completed fence adjacent to State Street along the Rio Tinto Stadium frontage and a picture of the pedestrian traffic signal.

It is our understanding that the pedestrian signal has made a very positive impact on the foot traffic before and after events held at Rio Tinto stadium. Pedestrians are now confined to a designated area for crossing State Street, which can be completed more efficiently with the signal and with less oversight from the officers.

- i. *Include a traffic study presenting traffic counts, times and circulation patterns for a geographic area encompassing all potential off-site parking sites is required by the City Transportation Engineer. If required, the traffic study shall also present the projected impact of the event on existing traffic counts, times and circulation patterns.*

Hales Engineering finalized and submitted a traffic study completed to UDOT and Sandy City standards in 2008.

- j. *Identify the methods the applicant will implement, on vacant or unimproved lots, to control the dust and debris.*

The DCH property located north of the stadium will be leased from Sandy City for the 2013 season. This lot will have dust control measures completed throughout the season, as well as trash removal and mowing. Dust is controlled with a solution which is sprayed on the dirt parking lot as a dust suppressant.

- k. *Identify any permits or approvals necessary from other transportation agencies with jurisdiction over roads or streets affected by the temporary or permanent traffic control measures identified in criteria g, h and i above.*

Rio Tinto stadium staff works with the Sandy City public services to identify the needs for temporary traffic control / officer enforcement on an as needed basis. Following the identification of these needs, Rio Tinto holds a combined meeting with Sandy City and UDOT officials to discuss the traffic control plans and identify the appropriate permits or approvals necessary for implementation.

Coordination meetings are held with Sandy PD, Engineering and Planning before each event in the stadium.



- l. Specify the date by which the applicant must provide the Planning Commission with evidence of availability of off-site parking spaces, safe pedestrian routes, transportation services, measures to prevent parking in restricted areas, and measures to manage entry and exit times and volumes of pedestrians and vehicles.*

Rio Tinto stadium updates the parking and access management plan before the start of each season (February to March) as the schedule is released. At the time this document was updated in January 2013, the 2013 ReAL schedule is becoming more solid with many of the events scheduled and only some yet to be scheduled. When this schedule becomes available, it will be submitted to Sandy City for inclusion into Appendix D of this document.

- m. Indicate the time period for which the parking and access management plan will be in effect.*

The Rio Tinto stadium parking and access management plan will be in effect from March to February each calendar year.

- n. Be updated on a yearly basis or as otherwise required by the Planning Commission after the project or event has commenced operation. The Planning Commission shall hold at least one public meeting prior to the approval of any updated parking and access management plan.*

Rio Tinto stadium will update the parking and access management plan in March of each calendar year for the pending season.

Anticipated 2013 ReAL Soccer Games include:

- 20 home games
- 20 away games
- US Open Cup
- International Matches
- 2013 CONCACAF Gold Cup
- MLS Playoffs

A schedule of the Rio Tinto Stadium events for 2013 will be submitted to Sandy City when it is finalized and will be inserted into Appendix D.

<sup>1</sup> The largest spectator events at the Rio Tinto Stadium will be concerts. The largest concert at Rio Tinto Stadium was on July 13, 2010 and had 24,000 attendees; however, the capacity of the stadium is 25,000 attendees.

<sup>2</sup> Average attendances at soccer matches during the 2011 season (not including post season, or exhibition matches) were 17,561. The highest attendance recorded in 2010 for a regular soccer game was 20,762 on Sept. 28<sup>th</sup>, 2011 vs. the Chicago Fire.

<sup>3</sup> Mass transit ridership is based on information from UTA for similar events at Energy Solutions Arena, Rice-Eccles Stadium, and Franklin Covey Field.

<sup>4</sup> Walking speed for pedestrian's ranges from 4 feet / second for a senior citizen to 7 feet / second for a teenager. The average walking speed of 5.5 feet per second equates to a walking distance of 1,650 feet within a 5-minute walk time.

<sup>5</sup> Walking speed for pedestrian's ranges from 4 feet / second for a senior citizen to 7 feet / second for a teenager. The average walking speed of 5.5 feet per second equates to a walking distance of approximately 5,000 feet within a 15-minute walk time.



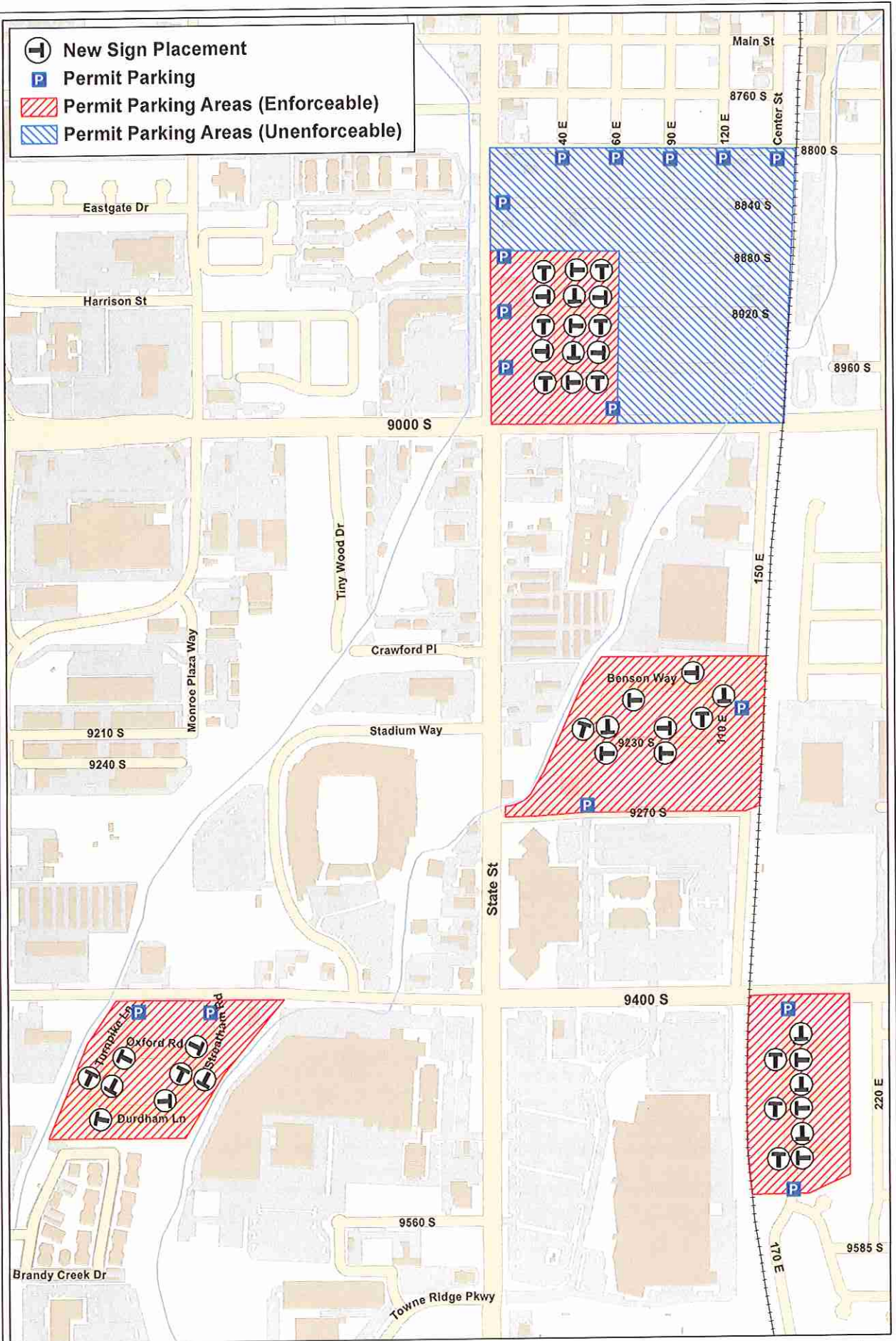
# Appendix A





# Appendix B

Sandy City has discussed implementing and managing a parking permit program within 4 neighborhoods in the vicinity of the stadium. This appendix contains a map showing the areas for the parking permit program and the text for Article 24: Permit Parking Areas.



## Residential Permit-Only Parking Areas





## **Article 24: Permit Parking Areas**

### **Sec. 343. Purpose and Specification of Permit Parking Areas.**

Permits for preferential on-street parking are required throughout the following streets and residential subdivisions in order to minimize adverse impacts from adjacent commercial and recreational uses:

- (1) All of Wallace Heights Subdivision;
- (2) All of Mount Jordan Meadows Subdivision;
- (3) All of 170 East between 9400 south and Sego Lily Drive including all of Corrie Circle, Lynn Circles and Brent Circle, excluding the west side of 170 East from 9548 South to Sego Lily Drive; and
- (4) All area bounded by 8800 South on the north, 9000 South on the south, State Street on the West, and Center Street on the east.

### **Sec. 344. Definitions.**

In the construction of this Article the following words and phrases shall be defined as set forth in this section.

- (1) "Authorized vehicle" means a motor vehicle which: (a) displays a valid parking permit issued pursuant to the requirements of this Article, for the specific Permit Parking Area where the vehicle is parked, or (b) is authorized by the regulations of a Permit Parking Area to park within such area without a permit.
- (2) "Dwelling" means a building or portion thereof designed and used for residential occupancy, including one-family, two family, multi-family, and apartment buildings; but shall not include boarding, rooming, or lodging houses, tents, trailers, mobile home parks, motels, motor courts, motor lodges, cottage camps, or similar structures designed or used primarily for transient residential uses.
- (3) "Motor vehicle" means an automobile, truck, motorcycle or other motor driven or self-propelled form of transportation intended primarily for use and operation on a public street.
- (4) "Parking permit" means a permit issued by the City displayed by an authorized vehicle pursuant to the requirements of this Article, for the specific Permit Parking Area where the permit is used.
- (5) "Permit parking area" means all portions of City streets within one of the residential subdivisions specified in Section 343. Parking restrictions apply to both sides of each street

unless otherwise provided.

(6) "Unauthorized vehicle" means a motor vehicle which: (i) does not display a valid parking permit issued pursuant to the requirements of this Article, for the specific Permit Parking Area where the vehicle is parked, or (ii) is not authorized by the regulations of a Permit Parking Area to park within such an area without a permit.

**Sec. 345. On-Street Parking Restrictions.**

(1) Except as set forth in Subsection (2) of this Section, between the hours of 5:30 a.m. and 12:30 a.m. the following day, only authorized vehicles shall be parked on a public street within a Permit Parking Area.

(2) The following shall be exempt from the provisions of Subsection (1) of this Section:

(a) A motor vehicle being used to provide repair, service, or emergency assistance within the Permit Parking Area; and

(b) A public agency vehicle with an exempt ("EX") license plate.

**Sec. 346. Enforcement of Parking Restrictions.**

The on-street parking restrictions of this Article shall apply every day except that no enforcement shall occur on Easter, Thanksgiving and three (3) days following, and Christmas Eve through New Year's Day.

**Sec. 347. Limit on Available Number of Permits.**

The number of parking permits issued within the Permit Parking Area shall be determined by the procedures of Section 348 of this Article..

**Sec. 348. Permit Eligibility - Issuance and Display.**

(1) (a) Annual application for one (1) or more parking permits authorized under this Article shall be made on a form provided by the Police Department which includes at least the following information:

(i) applicant's name and address, and

(ii) proof of eligibility for the permit.

(b) Additional information may be required which will aid the enforcement of the provisions of this Article and the Sandy City Traffic Code.

(3) A parking permit shall be issued for a motor vehicle only upon compliance with



each of the following requirements:

- (a) The permit applicant shall be a person who resides in a dwelling located within the Permit Parking Areas and who is either an owner occupant, or an occupant of a qualifying rental dwelling unit for which a valid rental dwelling license has been issued.
- (b) No permit shall be issued to a person who resides in a rental dwelling which does not comply with the requirements of the City's Land Development Code, when the permit is issued.
- (c) Not more than two (2) parking permits shall be issued to all the residents of a qualifying dwelling unit.
- (4) A parking permit shall be displayed by hanging the permit on the motor vehicle's interior rear view mirror. Such permit may be displayed only if:
  - (a) the vehicle has a valid license and vehicle registration, and
  - (b) the owner possesses proof of current vehicle insurance.
- (5) A person who is issued a parking permit shall be deemed the permit holder.
- (6) The issuance of a parking permit does not guarantee or reserve to the permit holder a particular parking space within a Permit Parking Area, but only authorizes a motor vehicle to be parked on a public street in a legally available parking space.
- (7) In the event a permit holder loses a permit issued under this Article, a duplicate may be obtained from the Police Department. No duplicate permit shall be issued unless and until the applicant has furnished to the Police Department an affidavit stating that the applicant has lost the original permit. No person shall apply for a duplicate permit unless the original permit has, in fact, been lost.
- (2) A parking permit may be issued for a motor vehicle used in conjunction with a building permit for authorized construction within the Permit Parking Areas. The parking permit shall expire in six (6) months from the date of issuance.

**Sec. 349. Transferability.**

The holder of a parking permit for a Permit Parking Area may display the permit on any motor vehicle at any time within such area.

**Sec. 350. Expiration.**

Each parking permit issued for the Permit Parking Area shall expire annually after the establishment thereof. Any permit issued after the establishment date shall expire on the same

day as all other permits.

**Sec. 351. Signs.**

Signs designating Permit Parking Areas shall be posted as determined by the City Transportation Engineer.

**Sec. 353. Handicapped Parking.**

Nothing in this Article shall abrogate the scope of parking privileges granted to handicapped persons under City Ordinances or other applicable law.

**Sec. 354. Penalty Provisions.**

(1) It shall be unlawful for a person to park a motor vehicle in violation Section 345 of this Article or for a registered owner of a motor vehicle to allow such vehicle to be parked in violation of Section 345.

(2) It shall be unlawful for a person to falsely claim eligibility for a parking permit or to furnish false information in an application therefor.

(3) It shall be unlawful for a person holding a valid parking area permit to allow the use or display of such permit on a motor vehicle in a manner not permitted by this Article for the specific Permit Parking Area where the permit is used. It shall also be unlawful for a person to so use or display the permit on an unauthorized vehicle.

(4) It shall be unlawful for a person to copy, produce, or otherwise bring into existence a facsimile or counterfeit parking permit or permits. It shall further be unlawful for a person to transfer the beneficial ownership of or a continuous right to use a parking permit or to knowingly use or display a facsimile or counterfeit parking permit in order to evade area prohibitions or time limitations on parking applicable in a Permit Parking Area.

(5) Any person violating any provision of this Article shall be guilty of an infraction as provided in 86 of this Traffic Code.

(6) Any motor vehicle found in violation of this Article is subject to towing and impounding as provided in Section 313 of this Traffic Code.

**Sec. 355. Revocation of Permit.**

(1) The Chief of Police is authorized to revoke a parking permit of any person found to be in violation of this Article and, upon written notification thereof, the person shall surrender such permit to the Police Chief or the Chief's designee. Failure, to surrender a parking permit so revoked shall constitute a violation of this Article.



(2) A permit holder found to violate the terms of this Article may have parking privileges revoked and the permit holder may be prohibited from obtaining a parking permit for one (1) year from the date of the violation.

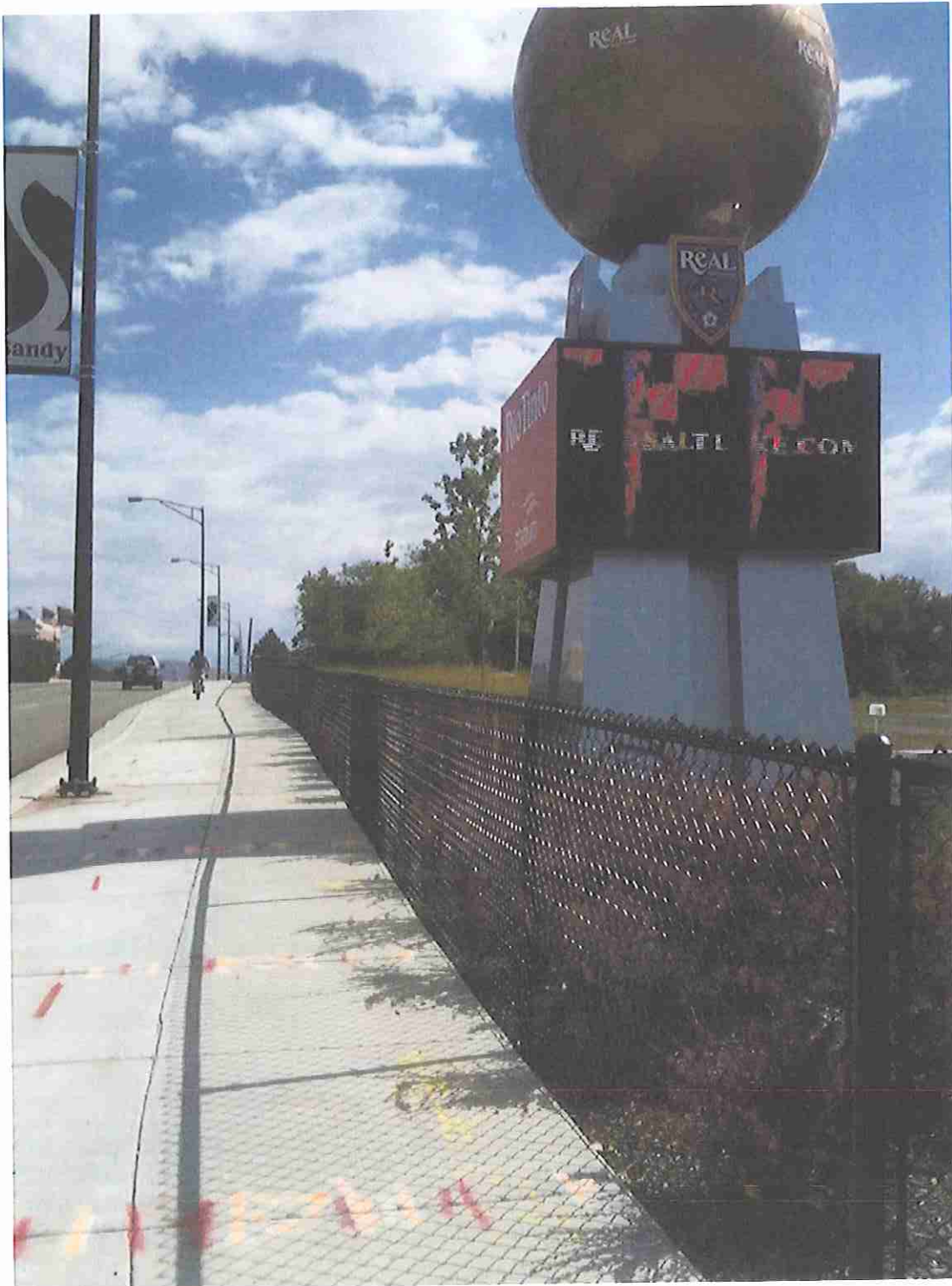
**Sec. 356. Other Parking Regulations.**

The provisions of this Article shall not relieve any person from the duty to observe other and more restrictive provisions of this Traffic Code which prohibit or limit the stopping, standing, or parking of vehicles at specific times or places.



# Appendix C





# Appendix D

2013 Rio Tinto Stadium Events Calendar (tentative)



**2013 Rio Tinto Stadium Schedule**  
as of 01/24/13 - Times and Dates Subject to Change

**2013**

**January**

**February**

Saturday 9 1:00PM Rio Tinto Stadium Open House

**March**

Saturday 16 4:00PM RSL vs. Colorado - Home Opener

Saturday 30 7:00PM RSL vs. Seattle Sounders FC

**April**

Friday 12 3:00PM/6:00PM Real Cup Boys Soccer - Alta HS vs. Juan Diego HS / Jordan HS vs. SkyView HS

Saturday 13 1:00PM/4:00PM Real Cup Boys Soccer - Consolation / Championship

Saturday 20 7:00PM RSL vs. Chivas USA

Monday 22 7:00PM RSL vs. Phoenix FC (Reserves Exhibition)

Saturday 27 7:00PM RSL vs. Los Angeles Galaxy

**May**

Saturday 4 7:00PM RSL vs. Vancouver Whitecaps FC

Saturday 11 11:00AM/1:30PM UHSAA Boys High School Championships 3A/2A

Thursday 23 4:30PM/7:00PM UHSAA Boys High School Championships 5A/4A

Saturday 25 7:00PM RSL vs. Chicago Fire

Tues/Weds 28, 29 *Lamar Hunt US Open Cup Rd. 32*

**June**

Saturday 1 8:00AM *Junior Achievement Fun Run & 5K*

Saturday 1 7:30PM RSL vs. San Jose Earthquakes

Saturday 8 7:30PM RSL vs. Los Angeles Galaxy

Tues/Weds 11, 12 *Lamar Hunt US Open Cup Rd. 16*

Saturday 22 7:30PM RSL vs. Seattle

Tues/Weds 25, 26 *Lamar Hunt US Open Cup Quarterfinal*

**July**

Wednesday 3 8:00PM RSL vs. Philadelphia Union

Saturday 20 8:00PM RSL vs. Sporting Kansas City

**August**

Tues/Weds 6, 7 *Lamar Hunt US Open Cup Semifinal*

Saturday 10 7:30PM RSL vs. Houston Dynamo

Saturday 24 7:30PM RSL vs. Columbus Crew

Friday 30 8:00PM RSL vs. Portland Timbers

**September**

Friday 6 7:00PM Juan Diego vs. Hillcrest - HS Football

Saturday 14 2:00PM/7:00PM Xfinity Football Challenge - Alta HS vs. Allentown NJ / Jordan HS vs. Bergen Catholic NJ (High School Football)

Saturday 21 7:00PM RSL vs. San Jose Earthquakes

**October**

Tuesday 1 *Lamar Hunt US Open Cup Final*

Saturday 5 7:00PM RSL vs. FC Dallas

Wednesday 23 7:00PM RSL vs. Chivas USA

**November**

*MLS Cup Play-In Game*

*Western Conference Semifinal Leg #1*

*Western Conference Semifinal Leg #2*

*Western Conference Final Leg #1*

*Western Conference Final Leg #2*

**December**

*MLS Cup 2013*

# Rio Tinto Stadium (2013)

## Temporary Off-site Event Parking







Figure 1 – On-Site Stalls (Yellow) = 706 Stalls



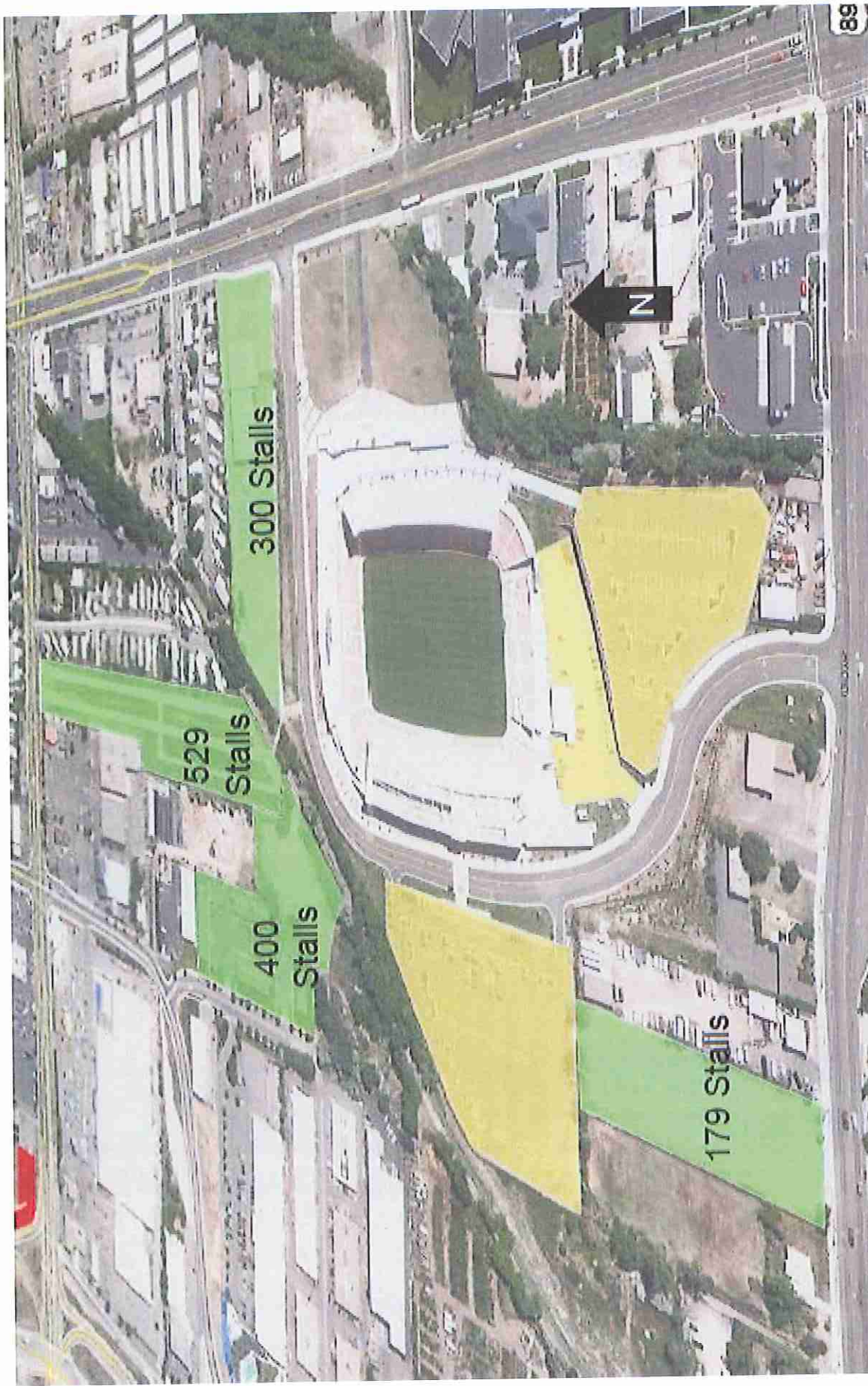


Figure 2 – Adjacent Lots (Green) 1,408 Stalls





Figure 4 – Walking Lots = 3,342 Stalls



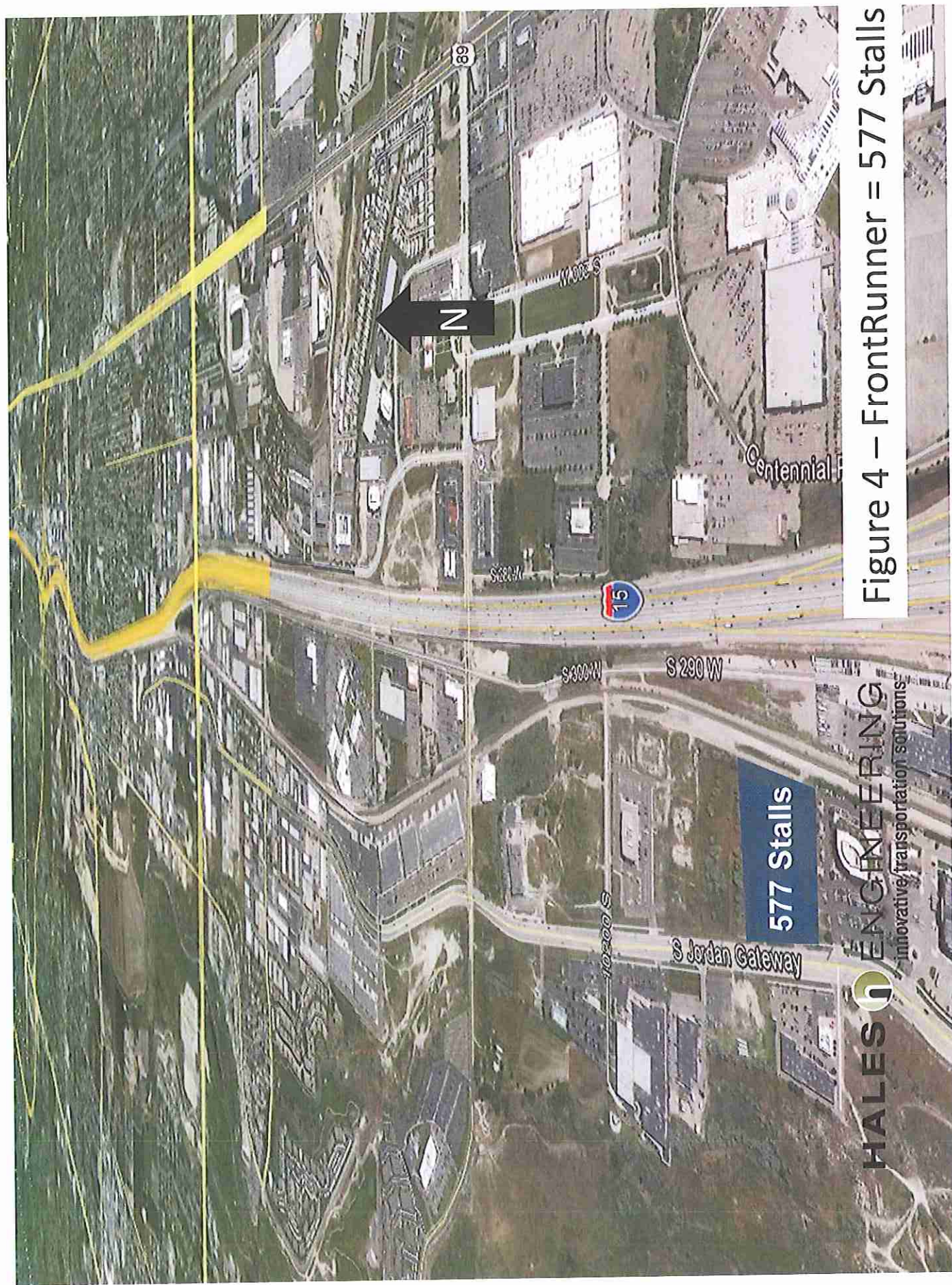


Figure 4 – FrontRunner = 577 Stalls



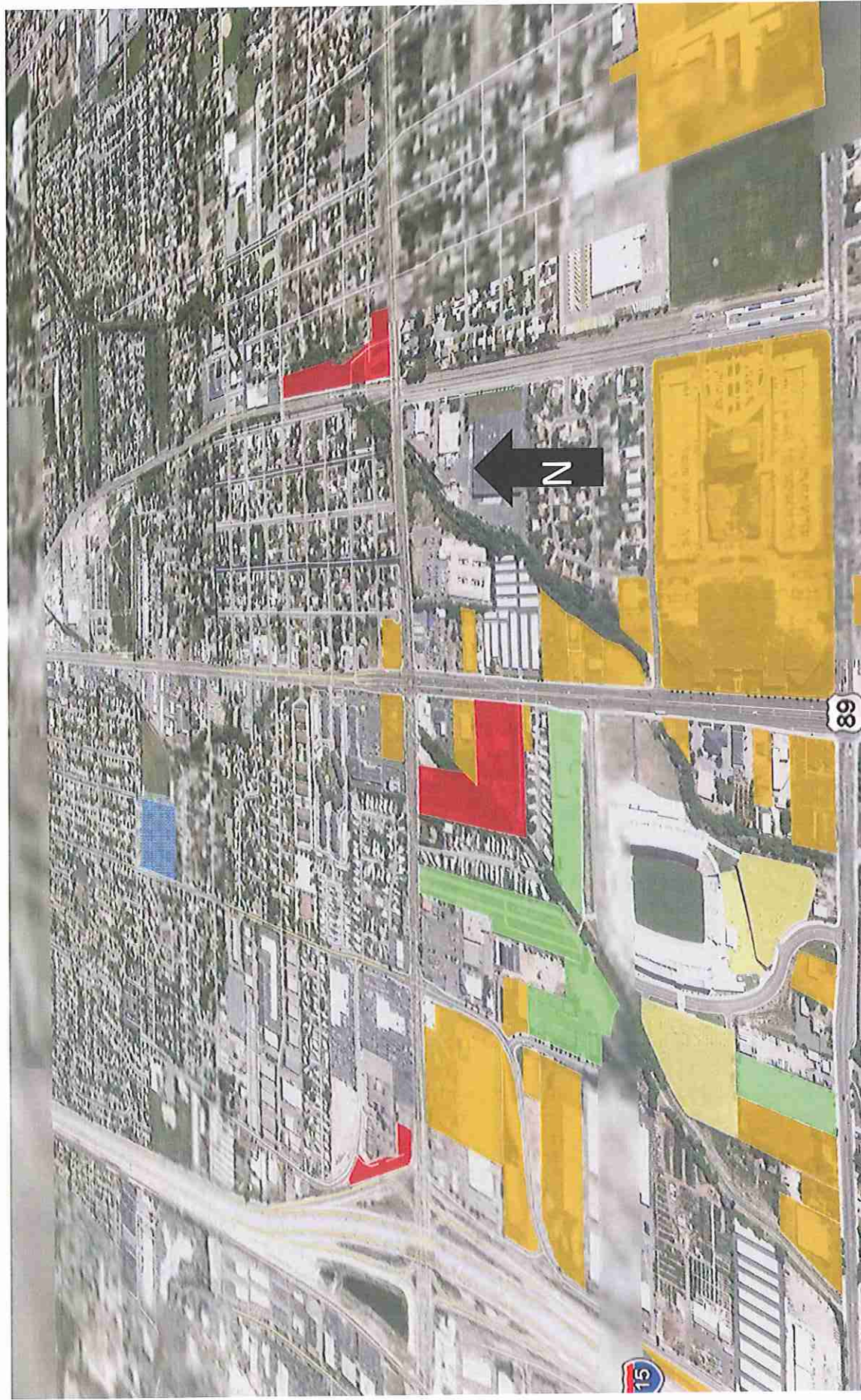
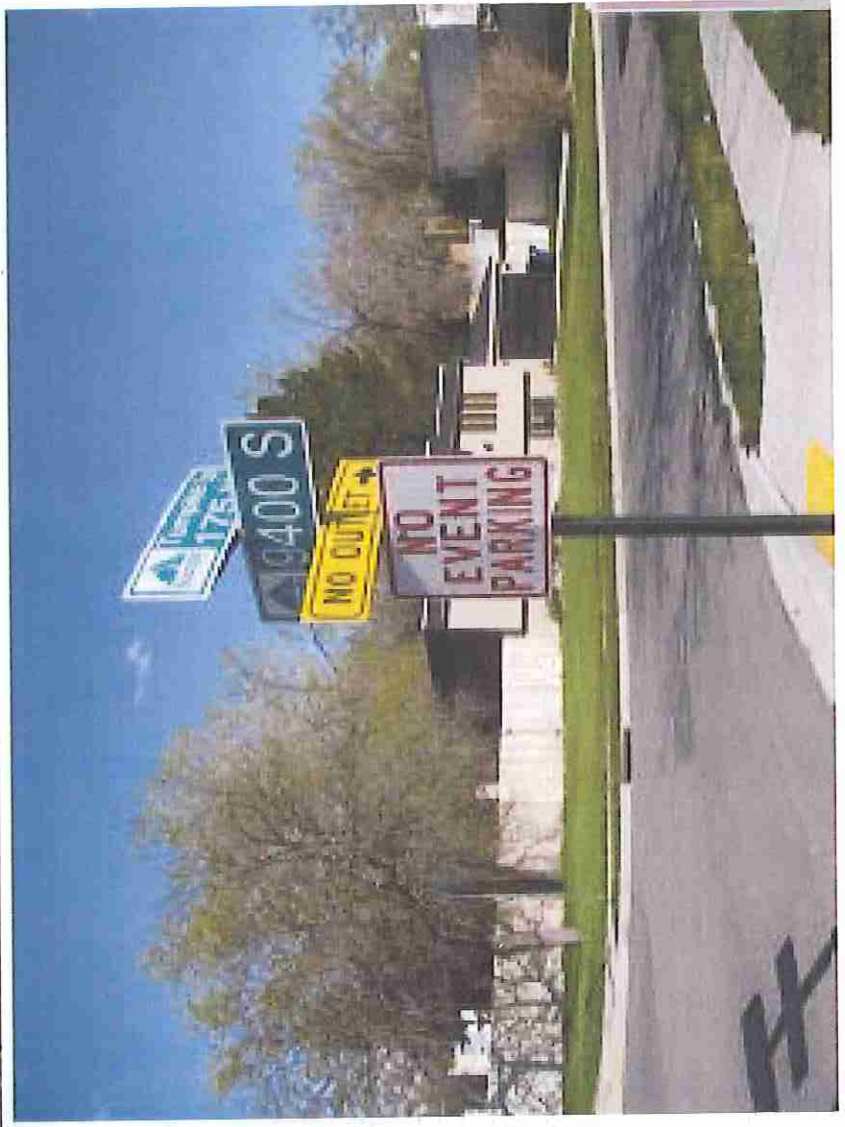


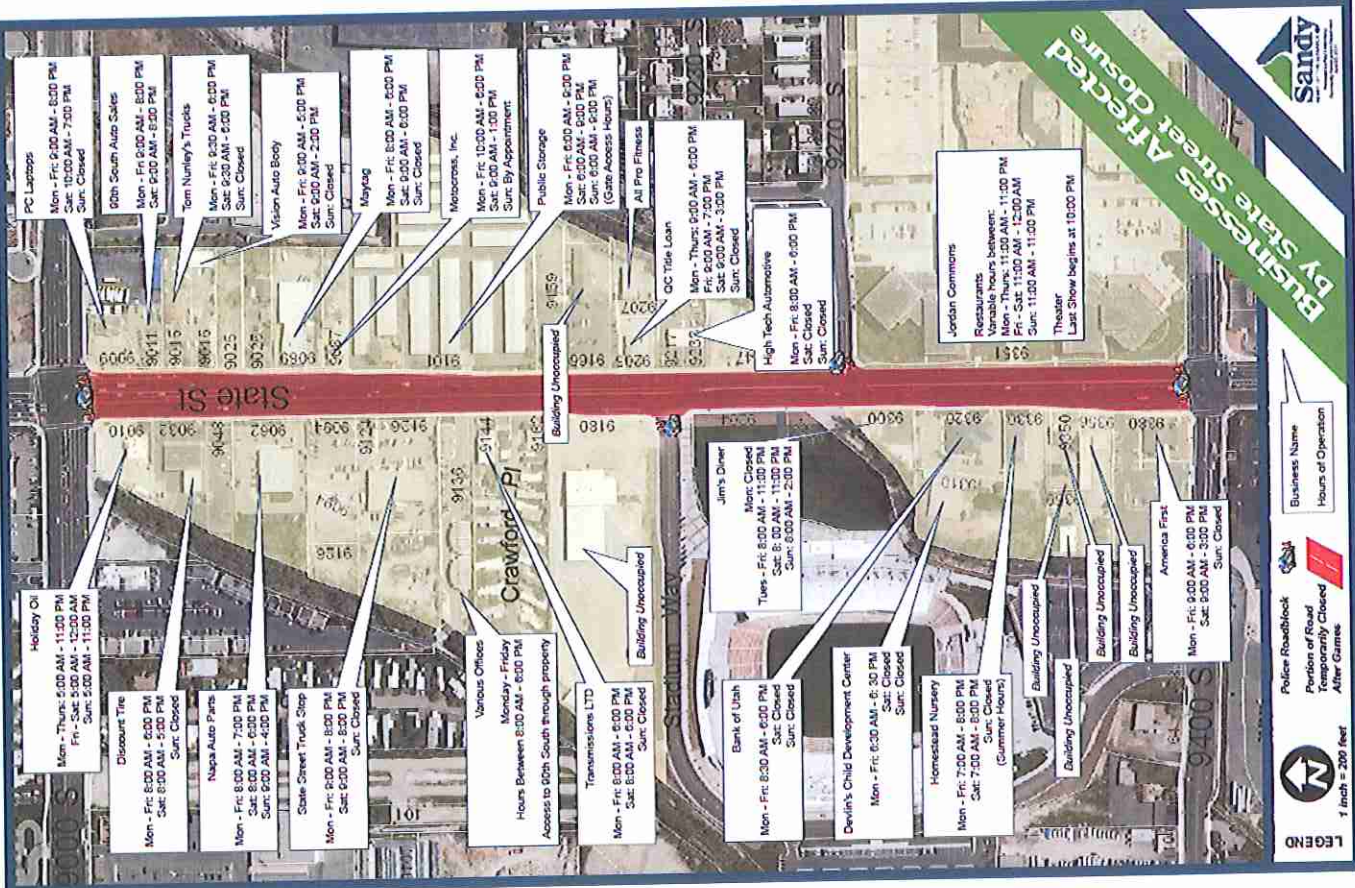
Figure 5 – Unofficial Lots (Orange) = 5,077 Stalls











PC Laptops  
Mon - Fri: 9:00 AM - 6:00 PM  
Sat: 10:00 AM - 7:00 PM  
Sun: Closed

60th South Auto Sales  
Mon - Fri: 9:00 AM - 6:00 PM  
Sat: 9:00 AM - 6:00 PM  
Sun: Closed

Tom Nunley's Trucks  
Mon - Fri: 9:00 AM - 6:00 PM  
Sat: 9:00 AM - 6:00 PM  
Sun: Closed

Vision Auto Body  
Mon - Fri: 9:00 AM - 6:00 PM  
Sat: 9:00 AM - 6:00 PM  
Sun: Closed

Maytag  
Mon - Fri: 9:00 AM - 6:00 PM  
Sat: 9:00 AM - 6:00 PM  
Sun: Closed

Monocross, Inc.  
Mon - Fri: 10:00 AM - 6:00 PM  
Sat: 9:00 AM - 1:00 PM  
Sun: By Appointment

Public Storage  
Mon - Fri: 8:00 AM - 6:00 PM  
Sat: 8:00 AM - 6:00 PM  
Sun: 8:00 AM - 6:00 PM  
(Gate Access Hours)

All Pro Fitness  
Mon - Thurs: 6:00 AM - 6:00 PM  
Fri: 6:00 AM - 7:00 PM  
Sat: 8:00 AM - 3:00 PM  
Sun: Closed

OC Title Loan  
Mon - Thurs: 9:00 AM - 6:00 PM  
Fri: 9:00 AM - 7:00 PM  
Sat: 9:00 AM - 3:00 PM  
Sun: Closed

High Tech Automotive  
Mon - Fri: 8:00 AM - 6:00 PM  
Sat: Closed  
Sun: Closed

Jordan Commons  
Restaurants  
Variable hours between:  
Mon - Thurs: 11:00 AM - 11:00 PM  
Fri - Sat: 11:00 AM - 12:00 AM  
Sun: 11:00 AM - 11:00 PM  
Theater  
Last Show begins at 10:00 PM

Holiday Oil  
Mon - Thurs: 5:00 AM - 11:00 PM  
Fri - Sat: 5:00 AM - 12:00 AM  
Sun: 5:00 AM - 11:00 PM

Discount Tire  
Mon - Fri: 8:00 AM - 6:00 PM  
Sat: 8:00 AM - 5:00 PM  
Sun: Closed

Napa Auto Parts  
Mon - Fri: 8:00 AM - 7:00 PM  
Sat: 8:00 AM - 6:00 PM  
Sun: 9:00 AM - 4:00 PM

State Street Truck Stop  
Mon - Fri: 8:00 AM - 8:00 PM  
Sat: 9:00 AM - 6:00 PM  
Sun: Closed

Various Offices  
Monday - Friday  
Hours Between 8:00 AM - 6:00 PM  
Access to 60th South through property

Transmissions LTD  
Mon - Fri: 8:00 AM - 6:00 PM  
Sat: 8:00 AM - 6:00 PM  
Sun: Closed

Bank of Utah  
Mon - Fri: 8:00 AM - 6:00 PM  
Sat: Closed  
Sun: Closed

Devin's Child Development Center  
Mon - Fri: 6:30 AM - 6:30 PM  
Sat: Closed  
Sun: Closed

Homestead Nursery  
Mon - Fri: 7:00 AM - 6:00 PM  
Sat: 7:00 AM - 6:00 PM  
Sun: Closed  
(Summer Hours)

Jim's Diner  
Mon - Fri: 8:00 AM - 11:00 PM  
Sat: 8:00 AM - 11:00 PM  
Sun: 8:00 AM - 2:00 PM

Building Unoccupied

Building Unoccupied

Building Unoccupied

Building Unoccupied

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**Businesses Impacted by Temporary State Street Closures**  
(See map for business locations)

Real Soccer games typically start at 7:00 pm and run 2 - 2:30 hours  
High School games and rugby - typically no need to close street as crowd is only 3 - 5,000  
Concerts typically end around 10:00 - 10:30 pm

**Wednesday night games - games over between 9 - 10:30 pm**

Jim's Diner  
Residents on Crawford Place  
Public Storage (close at 9:00)  
Holiday Oil (have access to 9000 South)  
Jordan Commons (have access to 150 East and 9400 South)  
All commercial lots that rent out parking spaces to Real fans

**Saturday night games - games over between 9 - 10:30 pm**

Jim's Diner  
Residents on Crawford Place  
Public Storage (close at 9:00)  
Holiday Oil (have access to 9000 South)  
Jordan Commons (have access to 150 East and 9400 South)  
All commercial lots that rent out parking spaces to Real fans

**May 7, 2011 Saturday afternoon game at 2:00 (games ends around 4:00 - 4:30 pm)**

Jim's Diner  
Discount Tires  
Napa Auto Parts  
State Street Truck Stop  
Residents on Crawford Place  
Transmissions LTD  
Homestead Nursery  
9000 South Auto Sales  
Tom Nunley Trucks  
Maytag Appliance  
Public Storage  
PC Laptops (have access to 9000 South)  
Holiday Oil (have access to 9000 South)  
Offices in Office Condo development (have access to 9000 South)  
Jordan Commons (have access to 150 East and 9400 South)  
All commercial lots that rent out parking spaces to Real fans

July 4, 2011 Monday evening game starting at 6:30 pm (game ends around 9 - 9:30 pm)  
(some of these businesses may be closed for the holiday)

Jim's Diner

State Street Truck Stop

Residents on Crawford Place

Homestead Nursery

9000 South Auto Sales

Public Storage

PC Laptops (have access to 9000 South)

Holiday Oil (have access to 9000 South)

Offices in Office Condo development (have access to 9000 South)

Jordan Commons (have access to 150 East and 9400 South)

All commercial lots that rent out parking spaces to Real fans



**2012 MLS Winter Stadium Event Schedule**  
as of 10/03/12 - Dates, Times and Games Subject to Change

2012			
January			
February			
March			
Saturday	3	2:00PM	Utah vs. Ch. Ralphy
Sunday	17	7:00PM	RSL vs. New York Red Bulls - Home Opener
Sunday	24	7:00PM	RSL vs. Chivas USA
April			
Wednesday	4	7:00PM	RSL vs. Montreal Impact
Sunday	7	7:00PM	RSL vs. Colorado Rapids
Friday	13	2:00PM/4:00PM	Real Cup - Alta vs. Saprissa / Jordan vs. Juan Diego (US Boys Soccer)
Sunday	14	2:00PM/4:00PM	Real Cup - Consolidation / Championship (US Boys Soccer)
Sunday	22	7:00PM	RSL vs. Toronto FC
May			
Saturday	5	7:00PM	RSL vs. New England Revolution
Sunday	12	1:00PM/2:00PM	USMMA Boys High School Championships 3A/2A
Sunday	13		USA Rugby Boys 18, U19 & Men's College Division 1A National Championships
Thursday	24	4:00PM/7:00PM	USMMA Boys High School Championships 2A/1A
Sunday	26	7:00PM	RSL vs. FC Dallas
Tue/Wed	29/30		US Open Cup Round of 32
June			
Tue/Wed	5/6		US Open Cup Round of 16
Wednesday	20	7:00PM	RSL vs. Los Angeles Galaxy
Sunday	23	7:00PM	RSL vs. San Jose Earthquakes
Tue/Wed	26/27		US Open Cup Quarterfinals
July			
Wednesday	4	2:00PM	RSL vs. Seattle Sounders (Post-game fireworks)
Sunday	7	7:00PM	RSL vs. Portland Timbers
Tue/Wed	23/24		US Open Cup Semifinals
Sunday	29	2:00PM	RSL vs. Colorado Rapids (Post-game fireworks)
Friday	27	7:00PM	RSL vs. Vancouver Whitecaps
Sunday	29	2:00PM	Nell Diamond Is. Concert
August			
Tue/Wed	7/8		US Open Cup Final
Sunday	19	7:00PM	RSL vs. FC Dallas
September			
Sunday	1	7:00PM	RSL vs. DC United
Friday	14	2:00PM/4:00PM	Real Cup (US Girls Soccer)
Sunday	16	2:00PM/4:00PM	Real Cup Consolidation / Championship (US Girls Soccer)
Sunday	22	6:00PM	RSL vs. Portland Timbers
Sunday	29	2:00PM/7:00PM	XFL Football Challenge (High School Football)
October			
Friday	19	4:00PM/7:00PM	USMMA Girls 3A/4A Soccer Championships
Sunday	20	11:00AM/2:00PM	USMMA Girls 3A/2A Soccer Championships
Sunday	27	7:00PM	RSL vs. Vancouver Whitecaps
Wed/Thur	24/25		MLS Cup Play-in Game
November			
Sunday	24		Western Conference Semifinal Leg #1
Wed/Thur	7/8		Western Conference Semifinal Leg #2
Sunday	25/26		Western Conference Final Leg #1
Sunday	27/28		Western Conference Final Leg #2
December			
Sunday	1/2		MLS Cup 2012

RSL schedule does not include CONCACAF Champions League group play games from July through October

Key: bold - confirmed ticket - tentative





# Pedestrian Signal

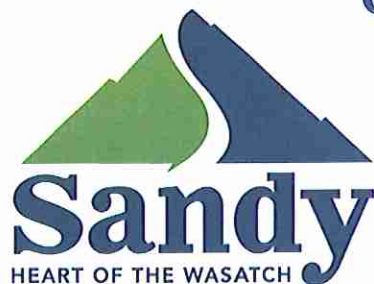


Questions?





## Community Development Department



Tom Dolan  
Mayor

Byron Jorgenson  
Chief Administrative Officer

Michael G. Coulam  
Director

## MEMORANDUM

February 1, 2013

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<b>To:</b>	Planning Commission		
<b>From:</b>	Community Development Department		
<b>Subject:</b>	Sudbury Shared Parking Revised Approval Request for Restaurant Conversion 111 W. 9000 S. [Civic Center, Community #2]	SPR#95-34 Zone RC 5.83 Acres	

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**HEARING NOTICE:** *This item has been noticed to property owners within the original development area.*

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### BACKGROUND

The property located at the Southeast corner of Monroe Street and 90<sup>th</sup> South Street was originally developed by F.C. Stangl of S-Devcorp beginning in the early 1980's. There have been numerous site plan approvals for the various buildings built over the years while the property was owned by Mr. Stangl. The buildings were built by Mr. Stangl one at a time as tenants became available. Five buildings now exist on the property with common and shared parking. Sometime before 1995, the parcel which is occupied by the Arby's Restaurant was sold off, and was not a part of the shared parking approval. In 1995, Mr. Stangl filed for site plan approval for the 115 West building and also to enlarge the Club 90 building (9063 South Monroe Street). This SPR request included a request for approval of a "Shared Parking" arrangement for the remaining four buildings on two property parcels, including the subject building, 111 West 9000 South, which was originally the Western Sizzlin Steak Restaurant and was then converted to the Francois D Hair Design Academy. A shared parking arrangement was approved by the Planning Commission in 1995 consistent with the schedule of uses and hours of operation and peak times as outlined in that application by Mr. Stangl.

Since the uses in some of the buildings have changed since 1995, and because the applicant is proposing what staff has determined is a proposed intensification of use, which would be expected to generate an increase in the parking demand for the overall project area, staff has requested that the applicant apply for a "Revised Shared Parking Reduction Arrangement" approval from the Planning Commission. Zoning for this entire area is Regional Commercial (RC).

This shared parking request involves all five buildings which were originally developed by Mr. Stangl, including the Arby's Restaurant. There are currently five buildings and six property parcels involved, including Arby's, Club 90, the State Liquor Store, the Asian Market and the subject 111 West building. Each building is on its own property parcel and are all owned by separate owners. The sixth parcel is a "common area" parking property, owned by a separate entity. According to the applicant, the shared parking arrangement has been established by CC&R's stemming from the original development by Mr. Stangl; however, there is no evidence that a PUD subdivision plat or other subdivision approval was ever approved by the Sandy City.

## ANALYSIS

**Description of Request.** Mr. Mark Sudbury of SLM Development, LC is requesting to obtain approval from the Planning Commission for a REVISED shared parking arrangement, to allow a use conversion from a hair academy and salon into two sit-down restaurants and future expansion, in the existing building located at 111 West 9000 South Street.

**Access and Site Improvements.** All access driveways and site improvements are existing and functioning.

**Parking.** There are 290 existing parking stalls present on the total property. Parking requirements for the various uses in the existing buildings and the anticipated minor addition to the subject building would require 333 parking stalls in a standalone situation. The Sandy City Development Code, Section 15A-24-03-C, Shared Parking, provides the criteria for the Planning Commission to consider in reviewing a shared parking reduction request, as follows:

*Location and identity of each use that will share in the facility.* A site plan has been submitted and the buildings and uses identified in a table.

*The total parking requirement for each use.* Arby's, 31 stalls; Club 90, 76 stalls; State Liquor Store, 45 stalls; Asian Market, 92 stalls; and the 111 West Building, including the minor addition, 89 stalls, for a total of 333 parking stalls required under the Development Code.

*The projected hours of operation and peak parking demand hours experienced or anticipated.*

- Arby's operates from 8:00 A.M to 11:00 P.M. with the peak hour based upon counts and estimates being noon with 23 stalls occupied noon to 1:00 P.M.
- Club 90 operates from 11:00 A.M. to Midnight. The peak hour is 11:00 P.M. with 81 stalls occupied.
- State Liquor Store operates from 9:00 A.M. to 10:00 P.M. with the peak hour being 7:00 P.M. with 43 stalls occupied.
- The Asian Market operates from 8:00 A.M. to 8:30 P.M. with the peak hour being 5:00 P.M. with 77 stalls occupied.



- The 111 West building will have two restaurants, one being a coffee specialty. The coffee use will be open from 7:00 A.M. to 10:00 P.M. and will have two peaks, one in the morning and another in the evening from 6:00 to 9:00 P.M. with 32 stalls occupied. The Restaurant will be open 10:00 A.M. to 11:00 P.M. and will have a peak demand at 7:00 P.M. with 46 stalls occupied.
- The total site peak demand hour is 7:00 P.M. with 235 stalls anticipated to be occupied.

*The number of existing parking stalls on site.* There are a total of 290 parking stalls on site.

*A site plan that shows that all parking is within 500 feet of building entrances and that the site plan improvements comply with applicable standards required for parking lot development.* The site plans shows that all parking is spread throughout the site and is conveniently located to the buildings being severed by the parking. All parking lot improvements are existing and acceptable under Sandy City requirements.

**Conclusion.** Staff has never observed any time that there has been overcrowding of the parking at these properties. The present and proposed mix of business types and uses is compatible with a shared parking situation and this arrangement has worked since at least 1995 without incident.

**Staff Concerns:** Staff is concerned with the apparent illegal subdivision of the original Stangl property, which has placed property lines around the footprints of three of the five buildings and also split parking stalls and divided parking lots with lines that are not reflected in the site development. Staff will work with the property owners to adjust the property parcel lines to more fully meet Sandy City zoning and subdivision requirements prior to any additions being approved to any of the existing buildings. Staff is also concerned that perhaps all of the present property owners may not be fully aware of the shared parking arrangement existing from the CC&R's, and may not be willing to negotiate with the other owners to create a more formal arrangement through a subdivision plat or other methods.

## **STAFF RECOMMENDATION**

Staff recommends that the Planning Commission approve the proposed revised shared parking reduction request for the 111 West building and for the former Stangl property development area and that application of a shared parking reduction to these properties is appropriate, and that the Planning Commission approve the shared parking reduction of 290 stalls instead of 333 stalls for these tenants and these buildings as proposed, based upon the following Findings and Conditions:

### **Findings:**

- A. That the existing parking is sufficient for the existing and proposed uses and buildings, due to varying peak hour parking demands and lower than normal parking demand by these uses, and is appropriate for this project.

- B. That existing CC&R's are in place that require the sharing of the site and common area parking stalls.
- C. That the proposed shared parking reduction is consistent with the shared parking reduction approval granted by the Planning Commission in 1995.

**Conditions:**

1. That the Shared Parking Reduction site plan be formalized with Planning Staff to document this parking reduction approval.
2. That there will be no building expansions or additions until the applicant has resolved the subdivision concerns expressed by staff.
3. That the shared parking reduction approval be reviewed upon legitimate complaint, staff observation of overuse, or if the uses in the existing buildings change so as to intensify the parking demand situation at this location.

Planner:

  
Douglas L. Wheelwright  
Development Services Manager

Reviewed by





	Square Footage	Number of seats	Number of Employees	Parking Required for each use per Sq. ft./ Employees	Total Parking Required per business
Panda Buffet (Sit Down)		120	12 (total)	40/6	46
Athena Bean Sit down		70	4 (total)	24/5 min.	29
Athena Bean (fut. expansion)		40 additional	2 additional	13/1	14
Asian Market	21650 sq.ft. total 17,320 retail 4,330 storage	N/A  87  5	N/A	  92	  92
Utah State Liquor	10,960 sq.ft. total 8,330 retail 2,630 storage	N/A	N/A	  42  3	  45
Club 90		210	12 (total)	70/6	76
Arby's (Fast Food)		54	N/A	31 @1/100 sq. ft.	31
Total Parking Required for all uses on site					333 Stalls
Total Existing Parking Provided on site					290 Stalls
<u>Shortage</u>					43 Stalls (14%)

### Parking Concentration on 292 Parking Stalls at 111 West 90th South, Sandy, Utah

(Based on projected concentration of parking from industry standards. The actual observed parking density is less than the following projections)

Time of Day	8:00 AM	9:00 AM	10:00 AM	11:00 AM	Noon	1:00 PM	2:00 PM	3:00 PM	4:00 PM	5:00 PM	6:00 PM	7:00 PM	8:00 PM	9:00 PM	10:00 PM	11:00 PM
Arby's	16	14	14	14	23	22	19	11	14	18	17	14	11	7	5	4
Club 90	11	14	14	14	26	29	21	15	19	21	26	31	46	68	71	81
Utah Liquor Store	4	6	12	12	26	29	14	12	26	31	41	43	39	22	14	8
Chinese Market	15	31	49	58	73	72	63	45	63	77	72	69	53	39	11	9
Athena Bean *	28	28	28	28	28	24	14	14	14	24	32	32	32	32	20	10
The Panda **	26	26	26	26	46	46	38	38	36	46	46	46	46	46	36	10
<b>Total Parking in use</b>	<b>100</b>	<b>119</b>	<b>143</b>	<b>183</b>	<b>222</b>	<b>222</b>	<b>169</b>	<b>135</b>	<b>172</b>	<b>217</b>	<b>234</b>	<b>235</b>	<b>227</b>	<b>214</b>	<b>157</b>	<b>122</b>
<b>Vacant Parking</b>	<b>192</b>	<b>173</b>	<b>149</b>	<b>109</b>	<b>70</b>	<b>70</b>	<b>123</b>	<b>157</b>	<b>120</b>	<b>75</b>	<b>58</b>	<b>57</b>	<b>65</b>	<b>78</b>	<b>135</b>	<b>170</b>

5. Parking for Athena Bean is assumed based on the business model provided by the Owner, and assuming a lecture or event was being held.

#### Notes:

1. The business of Club 90 does not pick up until lunch time, and then get's heavier after 6:00.
2. The Utah Liquor Store closes at 10:00, and the Chinese Market closes at 8:30 in the evening
3. I could not be certain which business was being visited by the parked car, so numbers were assumed by proximity to each business.

\* I have assumed the maximum parking for Athena Bean based on the business model provided by the Owner, and assuming a lecture or event was held.

\*\* I have assumed the maximum parking for the Panda based upon the business model provided by the Owner.



January 21, 2013

Danny Sudbury  
1255 East Ridge Meadow Lane # 6B  
Midvale, Utah 84047  
Phone 801-566-6103

Joel Kester  
210 North Preston Drive  
Alpine, Utah 84004

Dear Mr. Kester

Attached is a table of the last review of the existing parking on the property at 111 West 90<sup>th</sup> South in Sandy, Utah. I have also taken photographs on the times indicated below. I will have a disc of those photos delivered to your office today.

Over the weeks that I have been able to observe the property, this has been the typical parking pattern. As you can see the actual parking usage is far less than the density that you have projected by using the parking requirements of Sandy City.

Day	Date	Time	Main	Arby's	Total
Thurs	1/17/2013	12:30	51	17	68
		4:00	65	13	78
		9:30	62	7	69
Fri	1/18/2013	1:00	75	21	96
		4:30	88	9	97
		8:00	88	9	97
Sat	1/19/2013	12:40	100	12	112
		4:40	125	8	133
		8:40	105	4	109

Please let me know if you need me to continue to review the parking density. If you have any questions about the above numbers, please call.

Thanks



Danny Sudbury

Request for Consideration of Business license  
and  
Analysis of Available Parking  
**Location: 111 West 90<sup>th</sup> South, Sandy, Utah**

### **1-Introduction**

SLM Development LC, manager Mark Sudbury as owner of the property at 111 West 90<sup>th</sup> South in Sandy, Utah, submits this analysis to assist in the consideration of issuing business licenses for businesses that wish to lease his property. The following is a "Parking Usage Analysis" of the 292 shared parking stalls provided for the businesses at this location.

### **2-Summary of New Businesses Proposed by SLM**

The Property is a commercial building of approximately 7,000 square feet that shares common parking with 4 other commercial properties. SLM would like to operate two cafe type businesses from the premises. The proposed businesses are summarized as follows:

**The Panda Buffet** is a cafe that will provide full service dining with extensive menu and also have the option of buffet dining. The Panda will seat 120 customers and is projected to have a maximum of 5 kitchen/cook staff, 1 manager, and 6 wait staff, for a projected total staff of 12 employees. The owner of the Panda owns and operates three other cafes, and is an experienced and respected business man. A floor plan of the approximately 5,000 square feet required by the Panda is attached as Exhibit #3.

**Athena Bean Coffee House** is a limited menu cafe serving health food drinks, soft drinks, coffee, chocolate drinks, bagels, pastries, and salads. Athena has plans to operate initially in approximately 1,800 square feet, and later apply for a permit to add an additional area of approximately 2,500 square feet to serve as additional seating, and also as conference rooms for its clientele. Athena is associated with Willow Canyon Foundation, a non-profit charity. The bulk of the profit from Athena will be directed to cooperating educational charities such as The House of Hope, Foundation Escalara, and providing scholarships for local high schools, and other charities. In the initial stage of operation Athena will have seating for 70 "self-service" customers and a projected maximum of 2 Kitchen staff and 2 wait staff. Athena plans to expand in the late fall of 2013 to the larger area. After the completion of the expansion, Athena would require the same size kitchen staff of 2, but would expand the wait-staff to 3 or 4. The seating would expand to a maximum of 110 customers.

### **3-Analysis of Parking Needs by City Code**

Currently there are 4 other businesses sharing a common parking lot with the property owned by SLM. The following is an analysis of the parking needs of those businesses.

Business #1: Club 90 is a Tavern type business that seats approximately 210 customers and is projected to have a maximum of 12 employees. My analysis of their parking needs is 69 parking stalls for the 210 seating (1 stall per 3 customer seating) and 6 stalls for employees (1 stall per 2 employees with a minimum of 5 stalls) for a total need of 75 parking stalls. My analysis agrees exactly with the analysis approved by Sandy City in July of 1995.



Business #2: Chinese Market: This property is a commercial grocery store with an approximate interior usable size of 21,650 square feet. It is used 20% for storage/stock area that is inaccessible to the public and 80% commercial retail area. My analysis of their parking need is 4.3 stalls for the storage/stock area (1 stall per 1,000 square feet), and 86.6 stalls for the retail area, for a total need of 91 parking stalls. My analysis of the current parking need is within 1 parking stall of the 1995 analysis approved by Sandy City.

Business #3: Utah Liquor Store is a retail outlet with an interior usable area of 10,960 square feet. Approximately 24% of this space (2,630 square feet) serves as storage/stock area that is not accessible to the public, and 76% of the space (8,330 square feet) serves as retail area. My analysis of their parking needs is 2.5 stalls for the storage/stock area (1 stall per 1,000 square feet) and 41.5 for the retail area (5 stalls per 1,000 square feet) for a total need of 44 parking stalls. My analysis of the parking requirement differs from 1995 analysis, but I assume that is because the use and configuration of the business has since changed. I have visited the site on all projected "high traffic hours" (both during the week and on weekends) and have not observed the parking requirement exceed my projection.

Business #4: Arby's is a limited menu type café with an approximate size of 3,040 square feet and seating for 54 customers. My analysis of their parking needs is 5 stalls for employee parking (1 stall per 2 employees with a minimum of 5 stalls) and 18 stalls for customer seating (1 stall per 3 customer seating) for a total need of 23 stalls. Arby's was not included in the 1195 analysis, but should have been because the Western portion of their current parking is owned by UDOT and leased by Shared Parking LC to provide parking for the group. I have included all of the available parking and allocated it as needed by City code.

#### **4-Parking Needs of Proposed New Businesses**

SLM would like to gain approval for parking necessary to obtain business licenses for the following businesses:

**The Panda Buffet** is a cafe that will seat 120 customers and have a maximum of 5 kitchen staff, 1 manager, and 6 wait/service staff for a total of 12 employees.

**Athena Bean Coffee House** is a limited menu cafe that in Phase One of its operation will seat 52 customers and have a maximum of 2 kitchen staff and 2 wait staff for a total of 4 employees, and in Phase Two will seat 86 and have a maximum of 2 kitchen staff and 4 wait staff for a total of 6 employees.

Assuming the above: The SLM property will in Phase One have a need 58 parking stalls for 172 customers (120 seats in the Panda Buffet and 52 seats in Athena divided by 3), and 8 stalls for employee parking (12 employees for the Panda Buffet and 4 employees for Athena divided by 2) for a total parking need of 66 parking stalls during Phase I of its operation. In Phase Two the SLM property will have a need for 69 parking stalls for 206 customers (120 seats in the Panda Buffet and 86 seats in Athena divided by 3), and 9 stalls for employee parking (12 employees for the Panda Buffet and 6 employees for Athena divided by 2) for a total parking need of 78 stalls in Phase Two.

## **5. Summary of Parking Needs for All Businesses**

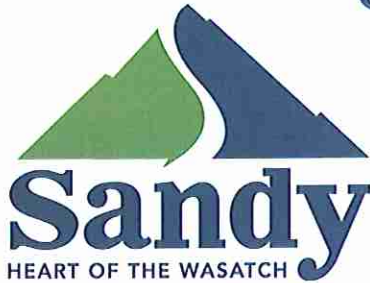
The total parking need by the above summary indicates that if each building was required to provide its own parking without the benefit of shared parking would be: Club 90 at 75 stalls; Chinese Market at 91 stalls; Utah Liquor Store at 44 stalls; and Arby's at 23 stalls. Without the parking assignment requested by SLM, this is a total of 233 parking stalls. With the existing businesses and the proposed SLM businesses the total required parking stalls would be 299 in Athena's Phase One , and 311 after Athena's expansion.

There currently are 292 parking stalls servicing the existing businesses (see Exhibit 1). However I have analyzed the current parking layout, and can see that there could be approximately 50 parking spaces added to the lot (see Exhibit #2). With a simple restriping of Area #2 there can be 9 lots added. The addition of these 9 lots would make the total parking provided 301 stalls, which is 2 stalls more than would be required for the new application, without the benefit of shared common parking. In addition, with the reorientation of the parking in area #1 (see Exhibit #2), there can be another 22 spaces added. Thus the current parking lot has the potential of providing a minimum of 332 parking spaces.

In conclusion, I believe the existing parking will well serve all of the existing business, the new businesses, and the additional expansion of Athena, proposed by Mr. Sudbury. Currently with the restriping of the 9 lots, as mentioned above, the parking exceeds what is required by City code for the current proposal of the parking needs of the Panda and Athena.

After the proposed expansion of Athena, the parking would be short only 10 stalls to meet strict code requirement, but with the benefit of common parking in which each business has different hours when their parking requirements peak, this should present no problem. If, in consideration of the expansion of Athena, the City did required strict compliance to their parking Code requirement, and gave no consideration for the benefit of common parking, then Area #1 could be restriped to provide 332 parking stalls which would again exceed the of City code requirements.





Tom Dolan  
Mayor

Byron Jorgenson  
Chief Administrative Officer

Michael G. Coulam  
Director

## MEMORANDUM

January 31, 2013

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<b>To:</b>	Planning Commission	
<b>From:</b>	Community Development Department	
<b>Subject:</b>	Sandy Villas Subdivision (TND Overlay) R-1-8 Zone	SUB-9-12-2527
	Reconsideration of Conditions of Approval	CUP-10-12-2585
	8179 South 700 East [High Point, Community #6]	1.29 Acres
		5 of Lots

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**HEARING NOTICE:** *This item has been noticed to property owners within 300 feet of the subject area.*

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### DESCRIPTION OF REQUEST

Mr. Duaine Rasmussen, of Castlewood Development, is requesting that the Planning Commission revisits and revises Condition #15, which deals with fencing requirements (see the attached letter from the applicant).

### BACKGROUND

The Planning Commission approved this Subdivision with the TND overlay on October 18, 2012.

### NOTICE

A notice has been mailed out to property owners within a 300' radius to comply with the development code requirements.

### ANALYSIS

At the time of the approval that was granted in October, the applicant had intended to pursue a rezone for the lot that contains the existing home along the 700 East frontage and eventually redevelop this lot as a commercial property. Therefore he had intended to build an 8' masonry fence now instead of in the future. The applicant's plans have changed and he has intentions to sell said lot. Thus he will not be personally pursuing the rezone of this lot to the BC Zone, as he intended last fall. This existing home will remain on the property and rented out as a single family residence until the future property owner decides to rezone and redevelop the property as a commercial property under the BC Zone. At that time, the developer of the commercial property would be required to install an eight (8) foot masonry fence to buffer the single family lots.

Therefore, he has requested a change to the conditions of approval relating to the requirement to build an eight (8) foot masonry **fence** along the boundary of the current and future commercial zone boundary. He still intends to erect a six (6) foot solid opaque fence around the perimeter of proposed lots 2-5, as each lot is built upon.

#### **STAFF RECOMMENDATION**

Staff recommends that the Planning Commission revise condition #15 for the **Sandy Villas Subdivision**, located at approximately 8179 South 700 East, and also remain subject to the other previously approved conditions:

15. That the **front yard areas remain fenceless** to preserve an open neighborhood feel. The developer shall install a six (6) foot solid opaque fence along the perimeter of proposed lots 2-5, as each lot is built upon. If fencing in the side and rear yards of the homes is desired, that it be of a similar type fence use for the perimeter.

Planner:

Reviewed by:



Mike Wilcox  
Senior Planner



**Michael Wilcox - RE: PC Minutes - Sandy Villas Sub**

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**From:** "Duaine Rasmussen" <duaine@castlewooddevelopment.com>  
**To:** "Michael Wilcox" <MWilcox@SANDY.UTAH.GOV>  
**Date:** 1/30/2013 3:10 PM  
**Subject:** RE: PC Minutes - Sandy Villas Sub

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Mike,

Please consider this Castlewood Development's formal request to change condition # 15 of the Planning Commission approval of Sandy Villas Subdivision.

Since we will not be developing or rezoning the lot facing 700 east immediately we request that we be allowed to place a 6 foot solid opaque fence around the perimeter of the residential lots. The planning commission will have the opportunity to require a masonry wall when the property is rezoned in the future and use is identified for the property.

Thank you for your consideration.

Duaine Rasmussen

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**From:** Michael Wilcox [mailto:MWilcox@SANDY.UTAH.GOV]  
**Sent:** Wednesday, January 30, 2013 1:09 PM  
**To:** duaine@castlewooddevelopment.com  
**Subject:** PC Minutes - Sandy Villas Sub

See attached and give us a letter in return stating your request and your justification for removing or modifying the condition(s). Thanks!

Mike Wilcox  
Senior Planner  
Phone (801) 568-7261  
Fax (801) 568-7278  
[mwilcox@sandy.utah.gov](mailto:mwilcox@sandy.utah.gov)





**Sandy Villas Subdivision (TND)**  
**8179 South 700 East**  
**SUB-9-12-2527**

0 35 70 140 210 280 Feet

